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LEGISLATIVE HISTORY  
Public Law 90-515  
S. 20

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## INDEX AND SUMMARY OF S. 20

Jan. 11, 1967	Sen. Jackson introduced and discussed S. 20 which was referred to Senate Interior and Insular Affairs. Print of bill as introduced and remarks of author.
Feb. 2, 1967	Senate committee reported S. 20 without amendment. Senate Report 25. Print of bill and report.
Feb. 6, 1967	Senate passed S. 20 without amendment.
Feb. 7, 1967	S. 20 was referred to House Interior and Insular Affairs Committee. Print of bill as referred.
June 8, 1967	House subcommittee approved S. 20 with amendment.
June 14, 1967	House committee voted to report.
June 21, 1967	House committee reported S. 20 with amendments. House Report 376. Print of bill and report.
June 28, 1967	Rules Committee reported a resolution for consideration of S. 20. H. Res. 678. H. Report 461. Print of resolution and report.
July 12, 1967	House passed S. 20 with amendments.
July 13, 1968	Senate conferees were appointed.
July 17, 1968	House conferees were appointed.
Sept. 4, 1968	House received conference report on S. 20. House Report 1862. Print of report.
Sept. 5, 1968	House agreed to conference report.
Sept. 12, 1968	Senate agreed to conference report.
Sept. 26, 1968	Approved. Public Law 90-515.



## DIGEST OF PUBLIC LAW 90-515

Public Law 90-515 NATIONAL WATER COMMISSION ACT. Establishes a seven-member National Water Commission to be named by the President, to make a study of national water resource problems and programs. Excludes Federal employees from appointment to the Commission, except for retired employees. Limits the life of the Commission to five years and authorizes an appropriation of \$5 million to finance it. Directs the Commission to submit reports to the President and the Congress.







90TH CONGRESS  
1ST SESSION

# S. 20

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## IN THE SENATE OF THE UNITED STATES

JANUARY 11, 1967

Mr. JACKSON (for himself, Mr. ANDERSON, Mr. BAYH, Mr. BIBLE, Mr. BOGGS, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARLSON, Mr. CASE, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. EASTLAND, Mr. ERVIN, Mr. FONG, Mr. GRUENING, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HATFIELD, Mr. HAYDEN, Mr. INOUE, Mr. JORDAN of Idaho, Mr. KENNEDY of New York, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MONTOYA, Mr. MORSE, Mr. MOSS, Mr. MUNDT, Mr. MUSKIE, Mr. NELSON, Mr. PROUTY, Mr. PROXMIER, Mr. RANDOLPH, Mr. RUBIOFF, Mr. SCOTT, Mr. SYMINGTON, Mr. TYDINGS, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

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## A BILL

To provide for a comprehensive review of national water resource problems and programs, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "National Water Com-  
4       mission Act".

## 1 THE NATIONAL WATER COMMISSION

2 SEC. 2. (a) There is established the National Water  
3 Commission (hereinafter referred to as the "Commissision").

4 (b) The Commission shall be composed of seven mem-  
5 bers, who shall be appointed by the President, by and with  
6 the advice and consent of the Senate. Members shall serve  
7 at the pleasure of the President. No member of the Com-  
8 mission shall, during his period of service on the Commission,  
9 hold any other position as an officer or employee of the  
10 United States, except as a retired officer or retired civilian  
11 employee of the United States.

12 (c) The President shall designate a Chairman of the  
13 Commission (hereinafter referred to as the "Chairman")  
14 from among its members.

15 (d) Members of the Commission may each be compen-  
16 sated at the rate of \$100 for each day such member is  
17 engaged in the actual performance of duties vested in the  
18 Commission. Each member shall be reimbursed for travel  
19 expenses, including per diem in lieu of subsistence, as au-  
20 thorized by law (5 U.S.C. 73b-2) for persons in the  
21 Government service employed intermittently.

22 (e) The Commission shall have an Executive Director,  
23 who shall be appointed by the Chairman with the approval  
24 of the President and shall be compensated at the rate pro-  
25 vided by law for level IV of the Federal Executive Salary



1 Schedule. The Executive Director shall have such duties  
2 and responsibilities as the Chairman may assign.

3 DUTIES OF THE COMMISSION

4 SEC. 3. (a) The Commission shall (1) review present  
5 and anticipated national water resource problems, making  
6 such projections of water requirements as may be necessary  
7 and identifying alternative ways of meeting these require-  
8 ments—giving consideration, among other things, to con-  
9 servation and more efficient use of existing supplies, in-  
10 creased usability by reduction of pollution, innovations to  
11 encourage the highest economic use of water, interbasin  
12 transfers, and technological advances including, but not  
13 limited to desalting, weather modification and waste water  
14 purification and reuse; (2) consider economic and social  
15 consequences of water resource development, including, for  
16 example, the impact of water resource development on re-  
17 gional economic growth, on institutional arrangements, and  
18 on esthetic values affecting the quality of life of the Ameri-  
19 can people; and (3) advise on such specific water resource  
20 matters as may be referred to it by the President and the  
21 Water Resources Council.

22 (b) The Commission shall consult with the Water Re-  
23 sources Council regarding its studies and shall furnish its  
24 proposed reports and recommendations to the Council for  
25 review and comment. The Commission shall submit to the

1 President such interim and final reports as it deems appro-  
2 priate, and the Council shall submit to the President its  
3 views on the Commission's reports. The President shall  
4 transmit the Commission's final report to the Congress to-  
5 gether with such comments and recommendations for legis-  
6 lation as he deems appropriate.

7 (c) The Commission shall terminate not later than five  
8 years from the effective date of this Act.

9 POWERS OF THE COMMISSION

10 SEC. 4. (a) The Commission may (1) hold such hear-  
11 ings, sit and act at such times and places, take such testi-  
12 mony, and receive such evidence as it may deem advisable;  
13 (2) acquire, furnish, and equip such office space as is neces-  
14 sary; (3) use the United States mails in the same manner  
15 and upon the same conditions as other departments and  
16 agencies of the United States; (4) without regard to the  
17 civil service laws and regulations and without regard to  
18 the Classification Act of 1949 as amended, employ and fix the  
19 compensation of such personnel as may be necessary to  
20 carry out the functions of the Commission: *Provided*, That  
21 of such personnel no more than five persons may receive  
22 compensation equivalent to the compensation established  
23 for grade 18 under the Classification Act of 1949 as  
24 amended; (5) procure services as authorized by section

1 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates  
2 not to exceed \$100 per diem for individuals; (6) purchase,  
3 hire, operate, and maintain passenger motor vehicles; (7)  
4 enter into contracts or agreements for studies and surveys  
5 with public and private organizations and transfer funds to  
6 Federal agencies and river basin commissions created pur-  
7 suant to title II of the Water Resources Planning Act to  
8 carry out such aspects of the Commission's functions as the  
9 Commission determines can best be carried out in that  
10 manner; and (8) incur such necessary expenses and exer-  
11 cise such other powers as are consistent with and reasonably  
12 required to perform its functions under this title.

13 (b) Any member of the Commission is authorized to  
14 administer oaths when it is determined by a majority of the  
15 Commission that testimony shall be taken or evidence re-  
16 ceived under oath.

17 POWERS AND DUTIES OF THE CHAIRMAN

18 SEC. 5. (a) Subject to general policies adopted by the  
19 Commission, the Chairman shall be the chief executive of  
20 the Commission and shall exercise its executive and admin-  
21 istrative powers as set forth in section 4 (a) (2) through  
22 section 4 (a) (8).

23 (b) The Chairman may make such provision as he shall



1 deem appropriate authorizing the performance of any of his  
2 executive and administrative functions by the Executive  
3 Director or other personnel of the Commission.

4 OTHER FEDERAL AGENCIES

5 SEC. 6. (a) The Commission may, to the extent prac-  
6 ticable, utilize the services of the Federal water resource  
7 agencies.

8 (b) Upon request of the Commission, the head of any  
9 Federal department or agency or river basin commission  
10 created pursuant to title II of the Water Resources Planning  
11 Act is authorized (1) to furnish to the Commission, to the  
12 extent permitted by law and within the limits of available  
13 funds, including funds transferred for that purpose pursuant  
14 to section 4 (a) (7) of this Act, such information as may  
15 be necessary for carrying out its functions and as may be  
16 available to or procurable by such department or agency, and  
17 (2) to detail to temporary duty with this Commission on  
18 a reimbursable basis such personnel within his administra-  
19 tive jurisdiction as it may need or believe to be useful for  
20 carrying out its functions, each such detail to be without loss  
21 of seniority, pay, or other employee status.

22 (c) Financial and administrative services (including  
23 those related to budgeting, accounting, financial reporting,  
24 personnel, and procurement) shall be provided the Com-  
25 mission by the General Services Administration, for which

1 payment shall be made in advance, or by reimbursement  
2 from funds of the Commission in such amounts as may be  
3 agreed upon by the Chairman of the Commission and the  
4 Administrator of General Services: *Provided*, That the reg-  
5 lations of the General Services Administration for the collec-  
6 tion of indebtedness of personnel resulting from erroneous  
7 payments (5 U.S.C. 46e) shall apply to the collection of  
8 erroneous payments made to or on behalf of a Commission  
9 employee, and regulations of said Administrator for the  
10 administrative control of funds (31 U.S.C. 665 (g) ) shall  
11 apply to appropriations of the Commission: *And provided*  
12 *further*, That the Commission shall not be required to pre-  
13 scribe such regulations.

#### 14 APPROPRIATIONS

15 SEC. 7. There are hereby authorized to be appropriated  
16 such sums as are required to carry out the purposes of this  
17 Act.

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## A BILL

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To provide for a comprehensive review of national water resource problems and programs, and for other purposes.

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By Mr. JACKSON, Mr. ANDERSON, Mr. BAYH, Mr. BIBLE, Mr. BOGGS, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARLSON, Mr. CASE, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. EASTLAND, Mr. ERVIN, Mr. FONG, Mr. GRUENING, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HATFIELD, Mr. HAYDEN, Mr. INOUYE, Mr. JORDAN of Idaho, Mr. KENNEDY of New York, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MANFIELD, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MONTOYA, Mr. MORSE, Mr. MOSS, Mr. MUNDT, Mr. MUSKIE, Mr. NELSON, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. RUBIOFF, Mr. SCOTT, Mr. SYMINGTON, Mr. TYDINGS, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota.

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JANUARY 11, 1967

Read twice and referred to the Committee on Interior and Insular Affairs



dependent business proprietors support the proposed legislation to set up a small tax division of the tax court to handle assessments and refund claims in amounts up to \$2,500.

This legislative proposal, introduced by Senator Warren Magnuson, Washington, and supported by 52 other senators, submitted to a nationwide vote by the National Federation of Independent Business finds 61 per cent of the independent business proprietors in favor, with 32 per cent opposed, and 7 per cent undecided.

In New York the vote in favor was 65 per cent, with 28 per cent opposed, and 7 per cent undecided.

The proposed legislation, which has been held without action in the Congress for some time, would set up 20 "fair and sympathetic" special commissioners in the U.S. Tax Court to aid the smaller taxpayers who cannot afford the expense involved in a full-scale litigation in the present tax court.

Congressional backers of the measure claim there are some 55 million taxpayers with incomes under \$10,000, many of whom pay unjust tax claims rather than try to fight the overpowering might and resources of the tax collecting bureaucracy.

From Mr. Vernon Hoven, lawyer, Missoula, Montana—"I believe I reflect the attitude of nearly all of the practicing lawyers in Montana, and I could even go further and state the United States, when we state that the Bill (S.33440) is an absolute necessity to protect and to give the small taxpayer an opportunity to review any extra assessments as may be imposed by the Internal Revenue.

"As the situation sets at the present time any extra levies up to probably the sum of \$2,000.00, the only advice that may be rendered by any attorney to those parties is to pay the Internal Revenue regardless of the merits of the Internal Revenue's position; this because of the costs that will be necessarily imposed upon the taxpayer to resist such actions. At the present time there is no means of such a taxpayer of obtaining compensation or damages for such action, if he be right, so it leaves no recourse open to him except to pay upon demand."

Mr. Harry Graham Balter, lawyer, Los Angeles, Calif.—"It has come to my attention that you are sponsoring a bill to create a 'poor man's' tax court. I heartily endorse this move. After having practiced tax law for more than a quarter of a century, I will verify from experience that there is a need for this type of tribunal."

Elmer Fritzke, Tax Consultant, Springfield, Oregon—"I wish to compliment you on your proposed introduction into the United States Senate a bill which would be similar to that of the Oregon Tax Court which gives relief to taxpayers in such hearings and tax matters."

Mr. Joseph K. Coxe—lawyer—Philadelphia, Penna.—"I would like to see this bill passed, since I believe it is a step in the right direction toward relieving the taxpayer of the annoyances which occur all too often.

"I have been preparing tax returns for a number of people and I am admitted to practice before the Tax Court and have seen these inequities too many times.

"In many of the cases, the tax collector has gone after the small taxpayer for amounts under \$100.00, and, rather than have any trouble with the Internal Revenue Service, the 'little guy' pays."

Mrs. Carroll P. McGowen—Manufacturers' Representative—Chicago, Ill.—quote from Internal Revenue Service's letter of March 21, 1966, the third to last paragraph on page 2:

"We still respect your right to appeal the adjustment to your 1964 return. This can be done by you as an individual without hiring an attorney. However, any appeal you consider should cite precedent court decisions which would support any position you

take which is contrary to that held by Internal Revenue Service."

"Isn't it ridiculous to expect 'the little fellow' to cite precedent court decisions? I do hope the recital of our experiences will assist you in getting your bill through.

Mr. Clyde R. Maxwell, lawyer, Los Angeles, Calif.—"However, the purpose of this letter was not to relate my personal history to you, but rather to congratulate you on the Bill which you have initiated to bring tax litigation within the reach of the little man. As a tax lawyer, I have so many times advised a client to pay an improper deficiency because litigation expenses would be more than he could expect to gain should he undertake a petition to the Tax Court or pay the tax and sue for refund. I also believe that many small adjustments are make-work adjustments to give the examining officer 'credit' on his record for a 'change year.'"

Mr. Norman L. Hardinger, Tinley Park, Ill.—"The IRS has too long pursued the un-American principle that the accused is guilty until he proves himself innocent. This, in my opinion, negates an American concept, and I hardly believe it was the intent of Congress that they be given this power, nor does it have the approval of Congress."

Mr. Carl L. Shipley, attorney, Washington, D.C.—"Most jurisdictions have something in the nature of a Small Claims Court in the field of civil litigation and a somewhat parallel system of procedures has developed to deal with public torts or minor police offenses, such as traffic tickets, etc.

"There is every reason in the world why there should be a Small Tax Division within the Tax Court where contributions involving small claims can be adjudicated quickly and inexpensively."

Mr. Gerald Walsh, CPA, Pittsburgh, Pa.—"Because it presently takes several years for a case to be heard by the present Tax Court, many small taxpayers decide to pay a tax deficiency rather than litigate. However, the creation of a District Tax Court would encourage both taxpayer and tax counsel to litigate these cases which are now compromised because of the time or money factors."

J. A. Baldwin, President Manufacturing Co., Kearney, Nebraska—"We employ around 320 people and about 80% are women. It seems the tax people are always after some of these and it is usually a widow. They garnish their pay and many times I have talked to the tax people and tried to make a deal with the employee so they could pay so much a month. This way, I thought, in time the tax would be paid and it wouldn't be too painful, but they would have no part of this. They want to take the whole pay check.

\* \* \* "All of these people are what you would call in the low income bracket. They have no money to hire an attorney and most of them have large families. Sometimes it is very painful. I believe in people paying their just taxes, and it is the law and must be paid, but sometimes I don't think they get a fair deal."

Donald B. Podell, CPA, Chicago, Ill.—"I have one other area that I feel is of interest and that is the additional assessments against taxpayers. Many times an Agent will come in and audit a taxpayer and in so doing, will assess the taxpayer by disallowance of deductions, and additional income taxes. It could be for one, two and three years, sometimes at a time which can run into considerable amounts of money. Many taxpayers do not have this cash available or do not have the borrowing power to pay it off in one lump sum. The Internal Revenue Department will automatically put a lien against the taxpayer requiring him to come up with this money regardless of his financial situation.

"Many times arrangements could be made to pay off monthly but the amount of interest and sometimes the penalties exceed so much the principle that a taxpayer can never get from out of under the liability."

Mrs. Eva V. Bohlinger, Fowler, Ind.—"After two long conferences with the Appellate Division, I was informed that the conferee was not accustomed to dealing with the taxpayer, and I employed an attorney to represent me. \* \* \*

Honorable Wilbur G. Hallauer, Washington State Senate, Oroville, Wash.: "Reporter Magazine for the past week carried an article on the difficulties of taxpayers on contested income tax matters before the Internal Revenue Service. Very honorable mention was given to the bill introduced by yourself and Senator Long for a non-departmental hearing procedure to be inserted between the Internal Revenue Service and the Tax Courts. The provision for costs to be assessed to the government when the government is wrong is the best prybar I've heard suggested in order to return a bit of sanity to the IRS procedures. At the present time no justice is available to the taxpayer. He is still confronted with a very substantial penalty when he is right. It amounts at times to extortion, as one simply cannot afford the costs in time and money to contest the frequent wrong decisions of IRS."

Earl DeCamp, Chelan, Wash.: "At present the Internal Revenue Service acts as Judge, Jury and Prosecutor on audits unless the taxpayer affords himself of the facilities of the Tax Court. This affords a proper relief to the taxpayer, but, is too expensive for small cases."

Mr. J. Addison Smith, CPA, Seattle, Washington: "Later, as a reviewer (IRS) I, of course, saw the reports of closings made by the Technical Staff of protested cases. A high percentage of these were closed on the basis of 'Litigation Possibilities/Probabilities.' From personal knowledge of my own case where I was Examining Agent, but especially later when I was appearing on behalf of taxpayers—and by testimony of my six employing partners—this phrase too often meant merely that agreement had been obtained at an amount just low enough so that it was cheaper in time and money for the taxpayer to pay it than to carry on to trial by the Tax Court, with little or no regard to the law in the case.

"E. G. Refusal to even discuss a loss which the taxpayer claimed to have sustained on an exchange. A simple 'No Loss' position, with no reasons given. It hinged on the surely debateable point of the current 'fair Market Value' of the Corporate Stock that had been received—a stock as to which the possibilities were remote that ANY dividends could be paid for 20 years at least. Taxpayer had claimed a mere 10% discount from face. Certainly no one would have paid pay for that stock. In his, and our, opinion he had 'Been taken for a ride' by a slick stock salesman."

Mr. Walter R. Rodgers, III, Lawyer, Spokane, Wash.—"I was very interested in the tax proposal by the Senior Senator from the great State of Washington. This makes a great deal of sense to me because several years ago I represented a young man who was being harassed by the Federal Government for a \$400.00 tax deficiency. I spent a considerable amount of time in researching the question involved and found that a similar question had been ruled on by the U.S. Court of Appeals for the 9th Circuit, favorably to the taxpayer. Even though Washington is in the 9th Circuit, the IRS people in Seattle refused to abide by the 9th Circuit opinion and it became obvious that in order to prove that we were right we would have to go to court. I explained to my client that this would probably cost



him more than \$400.00 which he owed in taxes. By this time, he had been demoralized by the tactics of the Internal Revenue Service and had little stomach for any fight, especially if it was going to cost him money. He yielded by paying a tax even though both he and I were convinced that the Government was wrong and he was being black-jacked because although the tax was of sufficient size to hurt it still was not big enough to make it profitable to fight. With this experience in mind, I am confident that some such relief as Senator Magnuson has proposed is essential."

Mr. Harvey W. Dodd, CPA, Tacoma, Wash.—"I know whereof I speak when I say that hundreds of thousands of taxpayers have paid millions of dollars of tax they did not owe because they either did not have adequate knowledge of their rights or could not afford to hire someone to represent them. Consider the fact that my fee in connection with such tax protests was nominal and yet it was often cheaper to pay the tax deficiency of \$40 to \$100 than to hire someone to prepare the necessary protest, research the subject matter, and then appear from one to four times, depending on the case, before settlement was obtained. We find the office cost of overhead, etc., for the mere preparation of a protest to be \$40 or more and for this reason I have on a great many occasions handled obviously unfair assessments of tax without fee.

"What many tax officials overlook is the nuisance value of tax cases. Believe me the Internal Revenue Service does not. Obviously not only the expense but the fear of the unknown impells many good citizens to pay when a knowledge of the necessary steps would validate their position as taken on their tax return.

"In my work I have found the Tax Court eminently fair and sympathetic to the small taxpayer on those rare occasions when his case reached the court. I am certain the small tax court you propose would operate to the advantage of this small taxpayer and justice in our tax system."

#### TAX OMBUDSMAN

Mr. LONG of Missouri. Mr. President, it is again my pleasure to cosponsor the so-called tax ombudsman bill with my colleague, the senior Senator from the State of Washington. Last year, when we first introduced this bill, we were pleasantly surprised to receive the cosponsorship of a total of 51 other Senators. We hope they will join us again this year, and that early hearings will be held on this bill.

This bill which we introduce today will establish a Small Tax Division within the Tax Court of the United States. The Tax Court will be authorized to appoint regional Small Tax Commissioners who will be able to settle a multitude of problems which today face the average taxpayer. According to the bill, taxpayers who have been assessed a deficiency less than \$2,500, or who claim a refund of less than \$2,500 may go to the Small Tax Commissioner for relief.

Mr. President, for more than a year now I have been interested in the concept of ombudsman. Last year, my Subcommittee on Administrative Practice and Procedure heard the distinguished Swedish ombudsman, Alfred Bexelius, explain the nature and function of his office. We learn that he is, in effect, the man who fights city hall.

But who can fight our tax collector? This is not to imply that taxes need not be paid. It is the clear duty of every

citizen to pay his taxes—but only those taxes which are properly due and owing. As I informed my colleagues last year, a little more than 3 million income tax returns—just over 5 percent of the total filed in fiscal 1965—were subjected to audit or "examination" by IRS agents. Deficiencies were found in 51 percent of these cases; refunds were paid by the Government in 14 percent. No change was made in 35 percent of the cases. What is significant, however, was that the average deficiency was just below \$700, and the average refund just above \$100. The average taxpayer cannot afford to hire a lawyer or an accountant when he is dealing with such dollar amounts because it would cost him more than he could save by winning the "case."

Accordingly, in many of these small tax cases, the taxpayer ends up paying the deficiency or forgetting about the refund. One author, writing in the May 5, 1966, issue of the Reporter, suggested that taxpayers are thus subjected to a form of "legalized extortion."

Mr. President, the concept of ombudsman has been imported to the United States. In the very near future, I intend to introduce a bill to create an administrative ombudsman for the United States with jurisdiction over such agencies as Social Security Administration, Veterans Administration and the Bureau of Prisons.

Shortly, Senators HART and KENNEDY of New York will again join in cosponsoring my District of Columbia ombudsman bill.

Today, it is my privilege to join Senator MAGNUSON in cosponsoring the tax ombudsman measure. It is our hope that all these measures will be enacted early so as to enhance two of President Johnson's objectives, stated so eloquently last night in the state of the Union message—programs and partnership.

#### RESTORATION OF BALANCE BETWEEN LABOR AND MANAGEMENT

Mr. FANNIN. Mr. President, I sent to the desk for appropriate reference three bills to amend the National Labor Relations Act and the Labor-Management Relations Act of 1947.

These moderate bills constitute necessary first steps toward achieving the restoration of balance between labor and management and insuring greater protection for individual workers. The areas involved are strikes affecting the national interest; secret ballot elections in union representation cases; and the matter of fines against employees who exercise their individual rights under the National Labor Relations Act.

The first bill would amend the national emergency provisions of the Taft-Hartley Act to provide for dissolution of injunctions only upon the settlement of disputes. Under existing law, injunctions are limited to 80 days. The national interest must be protected as long as is necessary. I may point out that unions will, of course, retain the right to strike a particular plant or even a segment of an industry. The injunction, as

under existing law, can be enforced only where the strikes are so broad as to jeopardize the national health and welfare.

A second bill would amend the National Labor Relations Act so as to require a board-conducted election in all representation cases. Thus this bill would prevent voluntary recognition of a union by an employer, a practice which has led to many abuses. I have always believed that it is the right of the worker, and not his boss or a few union advocates, to cast his ballot secretly for or against union representation.

Mr. President, the third bill would amend the National Labor Relations Act by prohibiting the levying by unions of fines against employees for exercising their rights under the act. Under this proposal, for example, a union could not fine an employee for exceeding production quotas set by the unions, crossing union picket lines, filing decertification petitions, nor for testifying in board proceedings against a union. It seems to me that unions cannot be regarded in the same light as private voluntary associations, which are and should be free to impose on its members whichever rules it chooses. This bill will carry out the intent of Congress that the rights given to unions carry commensurate responsibility and obligations on unions to act in the public interest and in the interests of their members.

I hope these proposals will receive early consideration, and I request that the bills lie on the desk until the close of business on January 18 so as to give other Senators an opportunity to join as cosponsors.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, will lie at the desk as requested.

The bills, introduced by Mr. FANNIN, were received, read twice by their titles, and referred to the Committee on Labor and Public Welfare, as follows:

S. 19. A bill to amend the National Labor Relations Act so as to prohibit the levying by labor organizations of fines against employees for exercising rights under such act or for certain other activities;

S. 21. A bill to amend the national emergency provisions of the Labor Management Relations Act, 1947, so as to provide for dissolution of injunctions thereunder only upon settlement of disputes; and

S. 22. A bill to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases.

#### REVIEW OF NATIONAL WATER RESOURCE PROBLEMS AND PROGRAMS

Mr. JACKSON. Mr. President, on behalf of myself and many other Senators, I introduce for appropriate reference a bill establishing a National Water Commission to undertake a comprehensive review of national water resource requirements and supplies.

The Members of the Senate will recognize that this bill is in furtherance and fulfillment of a part of President Johnson's message of February 23, 1966 on preserving our national heritage. In the words of the President, the Commission will:



Review and advise on the entire range of water resource problems . . . It will judge the quality of our present efforts. It will recommend long-range plans for the future. It will point the way to increased and more effective water resource measures by the Federal government, working in close cooperation with states, local communities, and private industry.

The National Water Commission will consist of seven members appointed by the President, by and with the advice and consent of the Senate. These members will be chosen from distinguished Americans from outside the Federal Government. Commission members will be chosen on the basis of a broad range of professional experience, demonstrated ability in other fields of endeavor, and the capacity to exercise independent judgment in evaluating our Nation's water problems and policies.

The Commission will have a small staff composed of the very best minds and talents available and will have the authority to utilize the services and the expertise of existing Federal water resource agencies.

In carrying out its responsibilities, the Commission will review present and anticipated national water resource problems, make projections of water requirements and supplies, and identify alternative ways of meeting these requirements. The Commission is directed to consider the economic and social consequences of water resource development, including the impact of development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people.

No region of our country is free of water resource problems. In some areas the problem is water shortage. In others it is water quality. In still other areas it is the lack of proper distribution facilities.

In recent years the areas of critical water problems were the Southwest, parts of the Midwest, the Great Lakes and the Northeast. Last summer, however, saw the Washington, D.C., area also face critical water problems. The Potomac River reached an alltime low flow. Pollution levels reach an alltime high. For the first time in the recent history of this area, restrictions were placed on water usage to conserve remaining supplies.

The advice and guidance of the National Water Commission will be invaluable to the Congress and to the President in developing and implementing policies and proposals designed to solve these and other national water resource problems. A few of the subjects which require study include:

First. Ways and means by which the benefits of new research can be effectively translated into application.

Second. How to make better and more efficient use of existing supplies.

Third. Whether existing State and Federal laws and institutions for water resource management are in need of revision and refinement.

Fourth. An examination of the role of water resources in regional economic development.

Fifth. An evaluation of the performance of existing water resource projects.

Sixth. The relationship of water resource planning and development to other planning and development fields.

Seventh. How best to integrate the technological, legal, and economic relationship of water resource management to attain the greatest benefits at the least cost.

Mr. President, I think that the National Water Commission bill is one of the most important measures which will come before the Congress this year. It will, I hope, be passed early in the first session by both the Senate and the House so that the Commission may begin the task of objectively reviewing the premises underlying our water resource policies and making recommendations in light of the broad national interest.

Late in the 89th Congress this bill was cosponsored by 49 Senators from both sides of the aisle, representing every area of the Nation. Following hearings, attended by the Nation's foremost water resource experts, and a favorable report by the Interior Committee, the National Water Commission bill passed the Senate on June 9, 1966. When considered in the House of Representatives, however, the substance of the measure was incorporated into the Colorado River Basin project bill which was not acted upon by the House.

Because of the great interest expressed in this bill in the past session and in the opening days of the 90th Congress, I ask unanimous consent that the bill lie at the desk for 10 days to enable additional cosponsors to sign the proposed legislation.

I also ask unanimous consent that the text of the proposed legislation be printed in full at this point in the RECORD.

THE VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk and be printed in the RECORD, as requested by the Senator from Washington.

The bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes, introduced by Mr. JACKSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

#### S. 20

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Water Commission Act".*

#### THE NATIONAL WATER COMMISSION

SEC. 2. (a) There is established the National Water Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members, who shall be appointed by the President, by and with the advice and consent of the Senate. Members shall serve at the pleasure of the President. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(c) The President shall designate a Chairman of the Commission (hereinafter referred to as the "Chairman") from among its members.

(d) Members of the Commission may each be compensated at the rate of \$100 for each day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

(e) The Commission shall have an Executive Director, who shall be appointed by the Chairman with the approval of the President and shall be compensated at the rate provided by law for level IV of the Federal Executive Salary Schedule. The Executive Director shall have such duties and responsibilities as the Chairman may assign.

#### DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to desalting, weather modification and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

(b) The Commission shall consult with the Water Resources Council regarding its studies and shall furnish its proposed reports and recommendations to the Council for review and comment. The Commission shall submit to the President such interim and final reports as it deems appropriate, and the Council shall submit to the President its views on the Commission's reports. The President shall transmit the Commission's final report to the Congress together with such comments and recommendations for legislation as he deems appropriate.

(c) The Commission shall terminate not later than five years from the effective date of this Act.

#### POWERS OF THE COMMISSION

SEC. 4. (a) The Commission may (1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) without regard to the civil service laws and regulations and without regard to the Classification Act of 1949 as amended, employ and fix the compensation of such personnel as may be necessary to carry out the functions of the Commission: *Provided*, That of such personnel no more than five persons may receive compensation equivalent to the compensation established for grade 18 under the Classification Act of 1949 as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; (7) enter into contracts or agreements for studies and surveys with public and private organizations and transfer funds to Federal agencies and river basin commissions created pursuant to title II of the Water Resources Planning Act to carry out such aspects of the Commission's functions as the Commission determines can best be carried out in that manner; and (8) incur



such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this title.

(b) Any member of the Commission is authorized to administer oaths when it is determined by a majority of the Commission that testimony shall be taken or evidence received under oath.

#### POWERS AND DUTIES OF THE CHAIRMAN

SEC. 5. (a) Subject to general policies adopted by the Commission, the Chairman shall be the chief executive of the Commission and shall exercise its executive and administrative powers as set forth in section 4(a)(2) through section 4(a)(8).

(b) The Chairman may make such provision as he shall deem appropriate authorizing the performance of any of his executive and administrative functions by the Executive Director or other personnel of the Commission.

#### OTHER FEDERAL AGENCIES

SEC. 6. (a) The Commission may, to the extent practicable, utilize the services of the Federal water resource agencies.

(b) Upon request of the Commission, the head of any Federal department or agency or river basin commission created pursuant to title II of the Water Resources Planning Act is authorized (1) to furnish to the Commission, to the extent permitted by law and within the limits of available funds, including funds transferred for that purpose pursuant to section 4(a)(7) of this Act, such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with this Commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(c) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided*, That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further*, That the Commission shall not be required to prescribe such regulations.

#### APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this Act.

#### DISPOSITION OF GEOTHERMAL STEAM AND ASSOCIATED GEOTHERMAL RESOURCES

Mr. BIBLE. Mr. President, on behalf of myself and the Senator from California [Mr. KUCHEL], I introduce, for appropriate reference, a measure to authorize the Secretary of the Interior to issue leases for the development of the geothermal steam deposits and associated geothermal resources of the publicly owned lands of the United States. The bill I am introducing today is

identical to S. 1674, as approved by both Houses of the 89th Congress. This congressionally adopted measure was the subject of a pocket veto, however, accompanied by a memorandum of disapproval, dated November 15, 1966.

It is difficult to believe that the draftsman of the memorandum of disapproval had read S. 1674 as worked out and adopted by the Senate and House, or that he had a basic comprehension of the history of legislation respecting development of the mineral resources of the publicly owned lands of the United States. The memorandum stated the bill was—quote—flawed by six major provisions which run counter to sound public policy—unquote—and then goes on to list the six points as well as make some general observations as to public policy with respect to natural resource development.

Mr. President, for the most part these criticisms or flaws simply are not applicable to the bill as passed by Congress. That is, the draftsman was plainly wrong with respect to the provisions of the approved bill; he said it did things it does not do, that it left undone things which it did not leave undone.

I consider it a very serious matter when an employee in the executive branch drafts what amounts to a veto message that contains glaring errors of fact with respect to the provisions of the measure being disapproved.

Also, there are some rather curious assertions regarding the history and policy of mineral resource development of our public domain. This policy has been one of development through private enterprise and initiative. Our economic and social attainments prove the wisdom of this policy, I believe, and the approach of S. 1674 was squarely in accord with this policy.

Yet we find the draftsman of the memorandum of disapproval talking sweepingly of giving away the people's interest in the wealth of their land in the bill. In fact, the philosophic approach of the bill was cited as the basic reason for veto.

It would be most interesting to know just what policy and procedures the draftsman would substitute for development of our publicly owned natural resources through the enterprise and initiative of our citizens.

One last point: There is a strong inference in the memorandum of disapproval that S. 1674 was written hastily, inadequately considered, and approved precipitously by Congress. If such is in fact the case with respect to the veto, then there again the draftsman erred with respect to the facts.

S. 1674 was the product of some 5 years of discussion, public hearings, field inquiries, and consideration by Senators and Congressmen quite knowledgeable in mineral resource development.

Some years ago, the Department of the Interior took the position—correctly, I think—that there was no clear-cut authority in existing law by which the geothermal resources of the public domain could be developed. In response to a growing need for the electrical energy this heat from the earth would develop, and the minerals that in many places

are contained in the gases or brines, I introduced on March 27, 1962, a bill that became S. 3075, 87th Congress, which would have amended the Mineral Leasing Act of 1920 to add geothermal resources to the list of minerals leasable by the Secretary of the Interior under the act. This measure was referred for report to the several administrative agencies concerned—including the Federal Power Commission, which offered no comment.

In the 88th Congress, based on these reports, I introduced a revised bill, S. 883, which proposed a separate geothermal steam leasing act. S. 883 was the subject of two public hearings in the 88th Congress, at which the executive agencies were heard at length; the measure was amended in committee, and reported to the Senate—Senate Report No. 1508. On August 21, 1964, we passed this measure.

Meanwhile, the other body had given consideration to companion geothermal steam leasing bills, and a task force of the House Interior Committee made on-the-spot field inspections of geothermal steam development in northern Italy, Iceland, and California.

In the 89th Congress, I once again introduced a geothermal steam leasing bill which became S. 1674. This measure was drafted on the basis of the quite extensive information and views the Senate Interior Committee had amassed on the subject during the previous two Congresses. Once again public hearings were held, and the views of the executive agencies heard and considered. Once again the Interior Committee reported a geothermal steam leasing bill to the Senate—Senate Report No. 683—and once again the measure passed the Senate.

The House held very extensive hearings on companion bills, some 9 days in all, I am told. The House committee reported the Senate measure with its own amended text and the House of Representatives approved. After a series of informal conferences, the Senate concurred in the House amendment with an amendment, and the House concurred.

Thus, the record shows that the Congress gave long and careful consideration to the measure that was presented to the Executive Office of the President. One could wish that the draftsman of the memorandum of disapproval had even read the House and Senate approved bill with care and understanding.

Mr. President, I ask unanimous consent that the measure be held at the desk for a period of 10 days to enable other Senators who may wish to join in sponsorship of this measure for the development of a new natural resource to do so.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Nevada.

The bill (S. 23) to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes, introduced by Mr. BIBLE (for himself and Mr. KUCHEL), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.







# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued February 3, 1967  
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90th-1st; No. 15

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HIGHLIGHTS: Both Houses received President's message on food for India. Senate committee reported bill to establish National Water Commission.

### HOUSE

1. FOOD FOR INDIA. Both Houses received the President's War on Hunger message which presents the administration's program to fight the shortage-of-food crisis. The program would involve the broad approach of self-help, multilateral participation, and comprehensive planning. To Senate Agriculture and Forestry Committee. pp. S1319-22, H918-20 (H. Doc. 51)

Several Senators and Representatives commended the President's message.  
pp. H920-21, H952, H957, S1335-6, S1349, S1358



2. DEBT LIMIT. The Ways and Means Committee voted to report (but did not actually report) H. R. 4573, to provide a temporary increase in the public debt limit (p. D56) and was granted until midnight Feb. 6 to file a report (p. H926).
  3. AIR POLLUTION. Rep. Carter commended proposed legislation to combat air pollution (p. H915), and Rep. Dingell inserted an article on the subject, "Menace in the Skies" (pp. H954-7).  
Both Houses received a report from HEW on measures being taken to control the emission of air pollutants from Federal facilities. pp. H970, S1323
  4. BUDGET. Rep. Ashbrook called the proposed budget "statistical doubletalk" and inserted an article, "Two Figures On One Budget Add Up to 1968." pp. H925-6
  5. MANPOWER. Rep. Holland inserted an editorial "commenting on the need for a concerted effort to rationalize Federal programs in areas in which there exists substantial overlapping." p. H953
  6. REPORT. Rep. Murphy, N. Y., inserted the report to the President by the Secretary of Commerce on the programs and progress of that Department including items of interest to USDA. pp. H953-60
  7. FORESTRY. Received from the President a / report (H. Doc. 50) recommending the establishment of the San Rafael Wilderness Area. Both Houses received a proposed bill to designate the San Rafael Wilderness, Los Padres National Forest, Calif.; to Interior and Insular Affairs Committees. pp. H970, S1322
  8. SUPERGRADES. Both Houses received from the Civil Service Commission a report with respect to positions in grades GS-16, GS-17, and GS-18. pp. H970, S1322
  9. LEGISLATIVE PROGRAM. Rep. Albert announced that on Wed. the national debt ceiling bill will be considered. p. H917
  10. ADJOURNED until Mon., Feb. 6. p. H970
- SENATE
- 
11. WATER RESOURCES. Interior and Insular Affairs Committee reported without amendment S. 20, to provide a comprehensive review of national water resources problems and programs (S. Rept. 25) p. S1323. See remarks of Sen. Jackson and others on page S1340-2.
  12. FARM PAYMENTS. Sen. Talmadge commented favorably on the farm program payments. p. S1335
  13. APPALACHIA. Sen. Tydings commended Sen. Randolph on the hearings now being held on the Appalachia program and inserted the testimony of one witness. pp. S1343-4
  14. PARITY. Sen. Mundt criticized the decline of the farm parity ratio. p. S1352
  15. FISH PROTEIN. Sen. Hart commended the FDA approval of fish protein concentrate as a food additive. p. S1359

## NATIONAL WATER COMMISSION

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FEBRUARY 2, 1967.—Ordered to be printed

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Mr. JACKSON, from the Committee on Interior and Insular Affairs,  
submitted the following

## R E P O R T

together with

## ADDITIONAL VIEWS

[To accompany S. 20]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

## BACKGROUND

The text of this measure was submitted by the Bureau of the Budget to the 89th Congress in furtherance and fulfillment of that part of President Johnson's message of February 23, 1966, on preserving our national heritage, in which the President called for the establishment of a National Water Commission to review and advise on the entire range of water resource problems.

During the 89th Congress extensive hearings were held on this measure on May 16 and 17, 1966. In attendance and testifying in favor of the establishment of a National Water Commission were many of the Nation's foremost natural and water resource experts. The bill (S. 3107 in the 89th Cong.) was favorably reported with amendments (Rept. 1212) and passed the Senate without objection on June 9, 1966. In the House of Representatives the substance of the measure was added to title II of H.R. 4671, which was reported by the House Committee on Interior and Insular Affairs late in the session. No further action was taken on the measure, however, prior



to adjournment. The bill reported today is the same bill which passed the Senate in the 89th Congress.

In his budget message to the 90th Congress on January 24, 1967, President Johnson reaffirmed the administration's commitment to the early establishment of a National Water Commission. In his message the President said:

Many regions of the country are facing increasingly critical problems of adequate supply and efficient use of water. I urge prompt enactment of legislation to establish a National Water Commission to assess our major water problems and develop guidelines for the most effective use of available water resources.

The need for an independent and objective review of the Nation's water problems was again underscored in the President's message to the Congress of January 30, 1967, on protecting our natural heritage. The President said:

I am renewing my recommendation for the enactment of legislation to establish a National Water Commission. Working with the Water Resources Council and with Federal, State, and private agencies, the Commission will examine our major water problems and develop recommendations, guidelines, and long-range plans for the most effective use of available water resources.

#### NEED FOR A COMMISSION

Phenomena such as pollution, floods, and droughts do not respect political boundaries. In recent years almost every region of the country has experienced an acute water problem in one form or another.

The United States has developed to such an extent that water problems and specific water programs proposed to solve these problems have social, political, economic, and ecological ramifications that affect the entire Nation and not just the immediate area or region in which a problem or project is located. The total impact on the country of water programs may vary greatly, depending on the choice made from alternative solutions. The committee recognizes that the problem of water is national in character; that proper solutions must be developed with full attention to the entire range of alternatives and the ultimate consequences of proposed projects. The committee considers the passage of S. 20 a necessity to achieve a comprehensive and objective evaluation of our Nation's water problems.

#### MISSION

The mandate of this Commission will be to study alternative solutions to water problems without prior commitment to any interest group, region, or agency of Government. The Commission will be charged with the responsibility of objectively reviewing the premises underlying our water resources policy and making recommendations in the light of broad national interest.

The National Water Commission must critically study past, present, and proposed water programs. It should tell the Nation what it has



done right, what it has done wrong, and what it is not doing that it should be doing.

The National Water Commission must come to grips with fundamental policy questions and recommend how this Nation's water resources should be utilized so as to maximize public benefit. The advice and guidance of the Commission will be invaluable to the President and the Congress when making decisions on specific project proposals which have far-reaching effects.

#### COMPOSITION

The National Water Commission will be composed of seven members from outside the Federal Government appointed by the President by and with the advice and consent of the Senate.

The Commission must be composed of people with demonstrated ability and a broad range of experience. The two qualifications which each Commissioner must have are: (1) the ability to make an intellectually honest evaluation of our Nation's water problems and policies; and (2) the capacity to exercise independent judgment.

#### SECTION-BY-SECTION ANALYSIS

Section 1: The purpose of the bill is to provide for a comprehensive review of national water resource problems and programs. The act is to be cited as the "National Water Commission Act."

Section 2: The National Water Commission will be composed of seven members appointed by the President by and with the advice and consent of the Senate. No member of the Commission may hold any other position as an officer or employee of the United States during his period of service on the Commission. The President shall designate a chairman of the commission, and the chairman may appoint an Executive Director for the Commission.

Section 3: In fulfilling its duties, the Commission is directed to—

(1) Review present and anticipated national water resource problems, making such projections of water requirement as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased unsability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances, including but not limited to, desalting, weather modification and waste water purification and reuse;

(2) Consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and

(3) Advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

The Commission will consult with the Water Resources Council, which was established by Public Law 89-80, regarding its studies and furnish the Council with its proposed reports and recommendations for review and comment. The National Water Commission and the Water Resources Council will cooperate and work together in a coordinated and complementary manner. The Commission,

however, is to be completely independent and objective in the establishment of its own priorities and in the development of its own program of review. The scope of the Commission's studies are not limited by specific directives as to what shall or shall not be studied.

The Commission is directed to submit its interim and final reports to the President. The President may transmit the Commission's interim reports, together with his legislative recommendations, if any, to the Congress as he deems appropriate, and shall transmit the Commission's final report to the Congress together with any comments or legislative recommendations he may wish to make.

The Commission will terminate no later than 5 years from the effective date of the act.

Section 4: The Commission is empowered to hold hearings, use the mails, equip officers, and exercise such other powers as are necessary to perform its function under the act. In carrying out its duties, the Commission may enter into contracts or agreements for studies and surveys with public and private organizations, and may transfer funds to Federal agencies and river basin planning commissions to fulfill any functions which can be most efficiently carried out in that manner.

Section 5: Subject to general policies adopted by the Commission, the chairman is empowered to exercise the Commission's executive and administrative powers.

Section 6: The Commission may utilize the services of other Federal water resource agencies to the extent that this is practicable. This may involve the use of informational resources, the detailing of personnel to temporary duty with the Commission, or utilizing other available services and resources.

Financial and administrative services are to be provided to the Commission by the General Services Administration.

Section 7: The act authorizes the appropriation of such sums as are required to carry out its purposes.

#### COMMITTEE RECOMMENDATIONS

The members of this committee have a deep and continuing interest in the development and wise administration of our Nation's water resources. In recent years this committee has considered and the Congress has enacted many significant measures that deal with water resources. These include the Water Resources Planning Act, the Water Resources Research Act, the Federal Water Project Recreation Act, and several saline water conversion acts. Other significant measures which the Congress has passed in recent years include amendments to the Water Quality Act of 1965 and the Clean Rivers Restoration Act of 1966. Many of these measures were the direct outgrowth of the studies and recommendations of the Senate Select Committee on National Water Resources which functioned between 1959 and 1961.

Today, 5 years after the termination of the Senate select committee, virtually all of its major recommendations have been enacted into law. It is apparent to the members of the committee that there is once again a critical need to comprehensively and objectively review the Nation's water resource problems, programs, and policies. The recent enactment of new laws and the creation of new institutions at



both the Federal and State levels, the technological advances which have recently been made in the water resources field, and the critical water problems of many areas of the country need to be reviewed and evaluated.

The members of the committee feel that the passage of this bill and the establishment of a National Water Commission will provide the most efficient, independent, and objective vehicle for accomplishing this review. After careful and complete consideration in the 89th Congress and after further consideration in the 90th Congress, the committee believes that S. 20, which has 53 cosponsors, may be one of the most significant water resource measures in recent years. Passage of this important measure is essential to the proper development of the Nation's water resources and the committee urges its enactment.

#### EXECUTIVE COMMUNICATIONS

The executive communication which was received from the Bureau of the Budget during the 89th Congress recommending enactment of this legislation is set forth in full below, together with a report from the Civil Service Commission.

MARCH 17, 1966.

HON. HUBERT H. HUMPHREY,  
*President of the Senate,*  
*Washington, D.C.*

DEAR MR. PRESIDENT: In his February 23, 1966, message to Congress on preserving our natural heritage, the President recommended the establishment of a National Water Commission. I am transmitting herewith draft legislation to carry out this recommendation. I urge that it be given early and favorable consideration.

A bountiful supply of clean water is essential to our health, to our industry, to our farms, and to the well-being of all Americans. It sustains our prosperity and stimulates our growth. This is a basic truth that the President has emphasized many times before. It is a truth that the administration shall continue to emphasize.

Yet, we are confronted with critical water shortages in many sections of our country. We are faced with the grim fact that pollution infests virtually every river system. No region is immune—from the Pacific, to the Southwest, to the Great Lakes, to the Northeast. These problems grow more complex and more difficult with each passing day.

Water resource problems do not end at local, county, State, or even regional lines. Their dimensions are truly national in scope. They require intelligent long-term planning and the assessment and development of a whole range of alternative solutions. They require thorough and systematic analysis to assure that the programs undertaken by the Federal Government contribute to the soundest long-range water objectives.

The National Water Commission bill proposed today provides a new way to meet these urgent needs. It will do more than give us a vital instrument in our search for imaginative ideas. It will help us develop the blueprints for our long-range water resource plans and goals. It will help us assure that the dollars we spend are wisely spent. In the words of the President, the Commission will "review and advise on the entire range of water resources problems.

"\* \* \* It will judge the quality of our present efforts. It will recommend long-range plans for the future. It will point the way to increased and more effective water resource measures by the Federal Government, working in close cooperation with States, local communities, and private industry."

Bringing the Commission into being is an important step that should be taken without delay.

The Commission would consist of seven members appointed by the President from distinguished Americans outside the Federal Government. These members would advise the President and the Water Resources Council. In carrying out its responsibilities the Commission would:

1. Identify alternative ways of meeting water requirements, making such projections of water demand as may be necessary and giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, inter-basin transfers, and technological advances such as desalting and waste water purification and reuse.

2. Consider the economic and social consequences of water resource development, including the impact of water resources development on regional economic growth, on institutional arrangements and on esthetic values affecting the quality of life of the American people.

The National Water Commission would be aided by existing Federal agencies in the water resource field and by river basin commissions created pursuant to title II of the Water Resources Planning Act.

It would also work closely with the Water Resources Council, complementing its activities; cooperate with State and local agencies concerned with water resource development, seeking their advice and assistance; utilize panels of specialists to assist it in its studies of particular problems.

The creation of the National Water Commission will bring the very best minds and the most creative talents in the Nation to bear on our water problems. We need this help if we are to reduce progressively the pollution of our waters and to insure a plentiful supply of water for our commerce, for our daily lives, and the lives of our children.

We recommend early enactment of the legislation.

Sincerely,

CHARLES L. SCHULTZE, *Director.*

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U.S. CIVIL SERVICE COMMISSION,  
Washington, D.C., May 27, 1966.

HON. HENRY M. JACKSON,  
*Chairman, Committee on Interior and Insular Affairs,*  
*U.S. Senate.*

DEAR MR. CHAIRMAN: This is in response to your request for advice on the flexibility of the personnel provisions in S. 3107, a bill proposed by the administration to provide for a comprehensive review of national water resource problems and programs, and for other purposes.

After reviewing the language in S. 3107, the Commission has concluded its personnel provisions afford ample flexibility and protection.



There is no apparent necessity for any additional exemptions from the customary employment and pay statutes or for further protection of the status or benefits of individuals employed by or detailed to the proposed Commission.

The language in section 4(a) placing the bulk of the positions in the competitive civil service gives the National Water Commission all necessary flexibility for staffing with the best qualified people, for taking necessary action in case of management emergencies, and for removing employees to insure a highly competent work force.

The Commission fully appreciates that there are circumstances in which exceptions from competitive service requirements are desirable. Under the Civil Service Act, however, there is ample authority for the Commission to grant appropriate exceptions and place positions in schedules A, B, and C.

There is also ample flexibility under the civil service laws for the removal of employees for such cause as will contribute to the efficiency of the service. No additional language is necessary in the Commission's opinion.

Application of the job evaluation and pay plans in the Classification Act of 1949, as amended, as required by the provisions in section 4(a), will give the employees of the proposed Commission compensation comparable to that of their counterparts in other parts of the Federal service. That act now permits individuals with unusually high or unique qualifications to be employed at salaries above the normal minimums in the upper grades and provides for authorizing additional within-grade increases in recognition of high-quality performance. It also excludes from its coverage certain types of employment for which its provisions have been found inappropriate.

The Executive Director and other regular employees of the National Water Commission would be eligible for coverage under the civil service retirement and group health and life insurance programs. Members of that Commission would be intermittent employees and excluded from these programs; if they are later employed under the Retirement Act, however, service credit would be allowable for all days actually employed. Similarly, experts and consultants engaged for temporary (not in excess of 1 year) or intermittent service would generally not be eligible to participate in these programs, except through continuity of service from covered employment. Their service would be potentially creditable for civil service retirement purposes.

The Federal Employees' Compensation Act apparently would apply automatically to the National Water Commission personnel, just as to Federal employees generally. However, an authoritative determination on this point would have to be made by Labor Department's Bureau of Employees Compensation.

The language in section 6(b), relating to details, appropriately protects the employees against "loss of seniority, pay, or other employee status." Individuals detailed under this provision would remain employees of the organization from which detailed, and would retain any benefit coverages (such as civil service retirement, group health, and life insurance) and protections held when detailed.

The Commission strongly recommends against amending S. 3107 to give the National Water Commission any greater flexibility to employ, compensate, or separate employees.

Because the committee apparently wished the Commission to furnish substitute language only if the Commission concluded it was needed, no substitute language has been developed.

The Bureau of the Budget advises that from the standpoint of the administration's program, there is no objection to the submission of this report.

By direction of the Commission:

Sincerely yours,

JOHN W. MACY, Jr., *Chairman.*

## ADDITIONAL VIEWS

The purpose of these additional views is to make reference to the additional views to which I subscribed last year, and to reemphasize some of the main points.

The idea of a National Water Commission cannot reasonably be objected to, if the Commission truly serves its stated objectives. Further, the people of this country have a right to expect that the Commission will not become a handy vehicle by which interests other than the interest of real progress in solving our pressing water problems are served.

Should this bill become law and a National Water Commission be appointed, it is my sincere hope that the Commission will be a great and constructive force in the resolution of the many difficult water problems facing our Nation with its rapidly increasing population, and that it will never be used to delay the realization of essential water resource projects.

Since the Commission is expected to recommend broad legislative policy to resolve water problems, I therefore feel constrained to review the qualifications of appointees most carefully to insure that only outstanding persons with diverse backgrounds in water resource matters are appointed.

In his prepared statement on S. 3107 of the 89th Congress, Secretary Udall stated that the Colorado River was “\* \* \* an obvious candidate for one of the first undertakings of the Commission.” He also indicated that he was favorably disposed toward the “\* \* \* acceleration of the review of western water problems with particular emphasis on the Colorado Basin.”

It would appear then from this that the administration not only recognizes the critical situation with respect to the Colorado River Basin, but also agrees that priority consideration should be given it. All who are familiar with the water resource conditions of the Colorado River Basin are aware of the great urgency of the situation, and realize that unnecessary delay in coming to grips with the problem of finding supplemental sources of water can mean hardship and even disaster for many of our citizens.

GORDON ALLOTT.





90TH CONGRESS  
1ST SESSION

**S. 20**

[Report No. 25]

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IN THE SENATE OF THE UNITED STATES

JANUARY 11, 1967

Mr. JACKSON (for himself, Mr. ANDERSON, Mr. BAYH, Mr. BIBLE, Mr. BOGGS, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARLSON, Mr. CASE, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. CURTIS, Mr. DODD, Mr. EASTLAND, Mr. ERVIN, Mr. FONG, Mr. FULBRIGHT, Mr. GRUENING, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HATFIELD, Mr. HAYDEN, Mr. HILL, Mr. INOUE, Mr. JORDAN of Idaho, Mr. KENNEDY of New York, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MONTOYA, Mr. MORSE, Mr. MOSS, Mr. MUNDT, Mr. MUSKIE, Mr. NELSON, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SCOTT, Mr. STENNIS, Mr. SYMINGTON, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

FEBRUARY 2, 1967

Reported by Mr. JACKSON, without amendment

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**A BILL**

To provide for a comprehensive review of national water resource problems and programs, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the “National Water Com-  
4       mission Act”.

5                       THE NATIONAL WATER COMMISSION

6       SEC. 2. (a) There is established the National Water  
7       Commission (hereinafter referred to as the “Commission”).

1       (b) The Commission shall be composed of seven mem-  
2       bers, who shall be appointed by the President, by and with  
3       the advice and consent of the Senate. Members shall serve  
4       at the pleasure of the President. No member of the Com-  
5       mission shall, during his period of service on the Commission,  
6       hold any other position as an officer or employee of the  
7       United States, except as a retired officer or retired civilian  
8       employee of the United States.

9       (c) The President shall designate a Chairman of the  
10      Commission (hereinafter referred to as the "Chairman")  
11      from among its members.

12      (d) Members of the Commission may each be compen-  
13      sated at the rate of \$100 for each day such member is  
14      engaged in the actual performance of duties vested in the  
15      Commission. Each member shall be reimbursed for travel  
16      expenses, including per diem in lieu of subsistence, as au-  
17      thorized by law (5 U.S.C. 73b-2) for persons in the Gov-  
18      ernment service employed intermittently.

19      (e) The Commission shall have an Executive Director,  
20      who shall be appointed by the Chairman with the approval  
21      of the President and shall be compensated at the rate pro-  
22      vided by law for level IV of the Federal Executive Salary  
23      Schedule. The Executive Director shall have such duties  
24      and responsibilities as the Chairman may assign.

## DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to, desalting, weather modification, and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

(b) The Commission shall consult with the Water Resources Council regarding its studies and shall furnish its proposed reports and recommendations to the Council for review and comment. The Commission shall submit to the President such interim and final reports as it deems appro-



1 priate, and the Council shall submit to the President its  
2 views on the Commission's reports. The President shall  
3 transmit the Commission's final report to the Congress to-  
4 gether with such comments and recommendations for legis-  
5 lation as he deems appropriate.

6 (c) The Commission shall terminate not later than five  
7 years from the effective date of this Act.

8 POWERS OF THE COMMISSION

9 SEC. 4. (a) The Commission may (1) hold such hear-  
10 ings, sit and act at such times and places, take such testi-  
11 mony, and receive such evidence as it may deem advisable;  
12 (2) acquire, furnish, and equip such office space as is neces-  
13 sary; (3) use the United States mails in the same manner  
14 and upon the same conditions as other departments and  
15 agencies of the United States; (4) without regard to the  
16 civil service laws and regulations and without regard to  
17 the Classification Act of 1949 as amended, employ and fix the  
18 compensation of such personnel as may be necessary to  
19 carry out the functions of the Commission: *Provided*, That  
20 of such personnel no more than five persons may receive  
21 compensation equivalent to the compensation established  
22 for grade 18 under the Classification Act of 1949 as  
23 amended; (5) procure services as authorized by section  
24 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates  
25 not to exceed \$100 per diem for individuals; (6) purchase,

1 hire, operate, and maintain passenger motor vehicles; (7)  
2 enter into contracts or agreements for studies and surveys  
3 with public and private organizations and transfer funds to  
4 Federal agencies and river basin commissions created pur-  
5 suant to title II of the Water Resources Planning Act to  
6 carry out such aspects of the Commission's functions as the  
7 Commission determines can best be carried out in that  
8 manner; and (8) incur such necessary expenses and exer-  
9 cise such other powers as are consistent with and reasonably  
10 required to perform its functions under this title.

11 (b) Any member of the Commission is authorized to  
12 administer oaths when it is determined by a majority of  
13 the Commission that testimony shall be taken or evidence  
14 received under oath.

15 POWERS AND DUTIES OF THE CHAIRMAN

16 SEC. 5. (a) Subject to general policies adopted by the  
17 Commission, the Chairman shall be the chief executive of  
18 the Commission and shall exercise its executive and admin-  
19 istrative powers as set forth in section 4(a) (2) through  
20 section 4(a) (8).

21 (b) The Chairman may make such provision as he shall  
22 deem appropriate authorizing the performance of any of his  
23 executive and administrative functions by the Executive  
24 Director or other personnel of the Commission.



## OTHER FEDERAL AGENCIES

SEC. 6. (a) The Commission may, to the extent practicable, utilize the services of the Federal water resource agencies.

(b) Upon request of the Commission, the head of any Federal department or agency or river basin commission created pursuant to title II of the Water Resources Planning Act is authorized (1) to furnish to the Commission, to the extent permitted by law and within the limits of available funds, including funds transferred for that purpose pursuant to section 4 (a) (7) of this Act, such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with this Commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(c) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the

1 Administrator of General Services: *Provided*, That the reg-  
2 ulations of the General Services Administration for the collec-  
3 tion of indebtedness of personnel resulting from erroneous  
4 payments (5 U.S.C. 46e) shall apply to the collection of  
5 erroneous payments made to or on behalf of a Commission  
6 employee, and regulations of said Administrator for the  
7 administrative control of funds (31 U.S.C. 665 (g) ) shall  
8 apply to appropriations of the Commission: *And provided*  
9 *further*, That the Commission shall not be required to pre-  
10 scribe such regulations.

#### 11 APPROPRIATIONS

12 SEC. 7. There are hereby authorized to be appropriated  
13 such sums as are required to carry out the purposes of this  
14 Act.

[Report No. 25]

## A BILL

To provide for a comprehensive review of national water resource problems and programs, and for other purposes.

By Mr. JACKSON, Mr. ANDERSON, Mr. BAYH, Mr. BIBLE, Mr. BOGGS, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARLSON, Mr. CASE, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. CURTIS, Mr. DODD, Mr. EASTLAND, Mr. ERVIN, Mr. FONG, Mr. FULBRIGHT, Mr. GREENING, Mr. HARRIS, Mr. HART, Mr. HARKE, Mr. HARTFIELD, Mr. HAYDEN, Mr. HILL, Mr. INOUYE, Mr. JORDAN of Idaho, Mr. KENNEDY of New York, Mr. LONG of Missouri, Mr. MAGNITSON, Mr. MANSFIELD, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MONTGOMERY, Mr. MORSE, Mr. MOSS, Mr. MURPHY, Mr. MUSKIE, Mr. NELSON, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SCOTT, Mr. STENNIS, Mr. SYMINGTON, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. Young of North Dakota

JANUARY 11, 1967

Read twice and referred to the Committee on Interior and Insular Affairs

FEBRUARY 2, 1967

Reported without amendment







# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued February 7, 1967  
For actions of February 6, 1967  
90th-1st; No. 17

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HIGHLIGHTS: Several Senators and Representatives commended food for India proposal. Senate passed National Water Commission bill. Sen. McCarthy introduced and discussed bill to authorize loans for works of improvement for land conservation.

### SENATE

1. WATER COMMISSION. Passed without amendment S. 20, to establish a National Water Commission to review water-resource problems, consider economic and social consequences of water-resource development, and advise on such specific water-resource matters as may be referred to it by the President and the Water Resources Council. pp. S1552-5

2. FOOD FOR INDIA. Sens. Muskie and Nelson spoke in favor of additional food for India. p. S1562



3. POVERTY. Sen. McGovern inserted Sen. Nelson's speech favoring a program to alleviate rural poverty. pp. S1569-71  
Sen. Randolph spoke in favor of S. Res. 17, authorizing the Labor and Public Welfare Committee to study the poverty program. pp. S1557-62
4. LEGISLATIVE REORGANIZATION. Continued debate on S. 355, the legislative reorganization bill. pp. S1593-601, S1611-22
5. DESALTING PLANT. Passed without amendment S. 270, to provide for participation by the Interior Department in construction and operation of a large proto-type desalting plant. p. S1555
6. ELECTRIFICATION. Sen. McGovern inserted various resolutions of the S. Dak. Rural Electric Association. pp. S1563-4
7. FOREIGN TRADE. Sen. Tydings inserted Roscoe Drummond's article on progress in east-west trade relations. p. S1533
8. TRAILS. Sen. Moss spoke in support of the administration's recommendation for a system of scenic and historical trails. p. S1591
9. CONSUMERS. Sen. Magnuson inserted a speech by William M. Batten, "Responsible Retailing in a Consumer-Oriented Society." pp. S1606-3
10. APPALACHIA. Sen. Byrd, W. Va., inserted articles constituting a "progress report" on the Appalachia program. pp. S1622-37

#### HOUSE

11. DEBT LIMIT. The Ways and Means Committee reported H. R. 4573, to provide a temporary increase in the public debt limit (H. Rept. 4) (p. H1055), and Rep. Boggs urged its prompt passage (pp. H1011-15).
12. FOOD FOR INDIA. Several Representatives commended the President's food for India proposal. pp. H973, H984-5, H1046-7, H1051-2
13. FOREIGN TRADE. Rep. Findley inserted a letter from the Comptroller General to this Department, with copies to the Appropriations Committees, the Agriculture Committees, and the State Department, stating that until the proviso prohibiting Public Law 480 sale of agricultural commodities to countries trading with North Vietnam is legislatively clarified such funds should not be used to formulate or administer programs for the sale of agricultural commodities to Yugoslavia. pp. H973-32  
Rep. Schadeberg inserted an article, "Dangerous Bridges--Proposals for Expanded East-West Trade Rest on Shaky Ground." pp. H1038-42
14. COMMITTEES. Attached to this digest is a list of the Agriculture Committee subcommittee assignments.  
The "Daily Digest" states that members were assigned to the following subcommittees of the Interior and Insular Affairs Committee: Public Lands, National Parks and Recreation, Irrigation and Reclamation, and Territorial and Insular Affairs. p. D63



This alarming growth in disrespect for law and order in America is a new phenomenon. While in other periods in our history we have had isolated riots and civil disorders as well as occasional flagrant disregard for the law, there seems to be a new philosophy underlying the current difficulties. One can sense a new feeling that there is a basic right to riot, a right to flout the law or pick and choose those laws which suit the individual's current purpose.

Such behavior is completely indefensible whether it is the union leader ignoring a court order or rioting by Negro youngsters in Washington, white college students in Fort Lauderdale or Daytona Beach or a mixed group on the campus at Berkeley. It is unacceptable if it is the clergyman illegally sitting-in on another's property or the father buying forged documents to shield his son from the draft. These are the seeds of a new anarchy.

In many of these instances, the people involved attempt to justify their lawless actions by advancing cliches or slogans which on the surface appear to be logical and in some cases even sacred, but which in truth are neither. To use a current Madison Avenue idiom, they are advocates of "nonlaw."

A second look at the philosophical banners under which they parade points this up. "Obey only the good laws, ignore or breach the bad ones." "Action now, no legal delays." "Human rights, not property rights." "The end justifies the means." The list is limited only by the imagination of the sloganeer.

Analysis of these catchy bromides reveals that they and not the law are without substance once the veneer is scraped away.

Who is to be the umpire if we obey only the laws we like? Isn't this philosophy really nothing more than license to violate the law? If we allow men to accept only those laws which please them personally or which they find presently convenient to accept, aren't we really trading ordered liberty for chaos? Mister Justice Whittaker spelled out the threat contained in the "each man is a judge" philosophy: "Though we have, as we justifiably and proudly boast, a government of laws and not of men, we must recognize that even this virtue can be lost, and that no man is protected by the law unless all are equally bound by and required to obey it."

The others are equally insidious. Are human rights and property rights in any way inconsistent or mutually destructive? Can anyone honestly urge that the right to have and be protected in property is not a valuable "human right" mutually consistent with other human rights? It has been said that property rights are the soil in which human rights grow and mature. Does history make any other argument?

The "action now" and "the end justifies the means" advocates have through the centuries tried to bludgeon the law to death. They are nothing more than advocates of anarchy. These philosophies exclude the possibility of the existence of a government of laws. "Equal protection" and "deliberative processes" would be rendered meaningless, if we were to look to this approach to solve the problems which arise.

Each of these examples points up the nature of the attacks which are being made on the law. They also point up the need for all men to urge the return of some of the old values which form the underpinnings for our society. We need not be on the defensive in defending these old values. Only those that are shortsighted or misguided can urge that what is old is of no value because it is old and what is new is best simply because it is new. What they overlook is that our system of law is a vital and living force in our society which renews itself each day.

The law is not dead! At the same time we must be acutely aware that no attack can go unanswered if we are going to rekindle the respect for the living law which was so

carefully nurtured by our forefathers and passed on to our stewardship. To surrender these values before the assaults of the disciples of expediency and misguided good intention is to accept their brand of snarthy.

Lewis Powell, when president of the American Bar Association, spelled out the cost of this course when he said: "Many centuries of human misery show that once a society departs from the rule of law, and every man becomes the judge of which laws he will obey, only the strongest remain free."

We have no alternative to a strengthened public acceptance and esteem for the law. Rational men cannot accept social chaos as a substitute for ordered liberty. Only the very shortsighted can see it as a panacea for provocations, either real or imagined, which arise in our society.

While we are all aware that the legal process is often slow, and on occasion disturbingly so, there is no other orderly way peaceably and fairly to decide the issues that arise among us. This is not a hollow platitude! It is fundamental if our system is to survive. Liberty without law is little more than license.

Unless we wish to preside at the wake of not only legal processes as we know them but also our system of government, we must make every effort to clear away those obstacles which prevent every American rich or poor regardless of color or religion, from recognizing the need for supremacy of the law. This supremacy can be maintained only so long as it is undergirded by public understanding and confidence in the adequacy of the system and only so long as it enjoys widespread public support.

Every responsible citizen must strive to impress on his fellow American that liberty, as we understand it under our Constitution, is a generous measure of individual freedom under the joint and well-balanced rule of law and mores. We must, by example and word, show that liberty includes not only the "you will" of the law but also the "I will" of respectful acceptance of the law.

A century ago Abraham Lincoln said, "The world has never had a good definition of the word liberty, and the American people, just now, are much in want of one." These words are more pertinent now than they were when uttered! Recent events across the nation have pointed up the widespread misunderstanding of the concept of liberty and a tendency by many well-meaning people to treat liberty and license as synonymous terms.

To counteract this, we must have a genuine revival of respect for law and orderly processes, a reawakening of individual responsibility, a new impatience with those who violate and circumvent our laws, and a determined insistence that laws be enforced, courts respected and due process followed. We must take the law into our hearts rather than our hands. All men must seek redress in the courts rather than in extralegal or illegal ways if we are to survive as a civilized nation. And we must resist all attempts to substitute rancor for reason, chaos for calm consideration, expediency for experience, and passion for due process.

By doing so, we will demonstrate to all that law is not dead!

In thinking about the problems which are confronting us, a question posed by Dr. Frederick Brown Harris, the Chaplain of the Senate, continues to come to mind. He asked, "Why not kill the devil?" This was the inquiry of Robinson Crusoe's puzzled man Friday who had difficulty in understanding Crusoe's explanation of God and the blame he placed on Satan for all that was bad. Friday's question vexed his teacher for he had no ready answer.

However, on reflecting on the strengths which he gained after seeing the mysterious footprints in the sand, Crusoe arrived at his answer. "Very frequently the evil which we

seek most to shun and which is the most dreadful to us is the very means and door to our deliverance."

The current challenge to the rule of law which we are experiencing can also be transformed into a strength. If, rather than merely wringing our hands and decrying the loss of respect for the law, we accept the challenge it poses, the law can become even a greater tool in effort to improve the condition of man.

If we can restore the belief that the law is a living, dynamic force which maintains our ordered liberty, we will have strengthened our society. If we insure that the law does in fact respect every man, we will have created a climate in which there can be greater respect for the law. Then no man can honestly raise the question, "Is the law dead?"

## ELECT OUR PRESIDENTS BY DIRECT VOTE OF THE PEOPLE

Mr. YOUNG of Ohio. Mr. President, the acute interest in electoral reform evidenced after every close election fades rapidly in the period between elections. Waning public interest has helped perpetuate for too many years the cumbersome and unreasonable system under which Americans choose their President and Vice President.

Many years ago, as Congressman at Large from Ohio, I urged the abolition of the electoral college system and that it be replaced by the direct election of the President and the Vice President. Many other Members of Congress have done likewise over the years. Now, it appears that there is a real possibility that this vitally needed reform may soon be implemented—that its day has come.

Senators and Representatives are elected directly by the citizens of their States or congressional districts. It is ironic, then, that the Chief Executive of the Nation, the man who holds the greatest responsibility for the lives and welfare of all our citizens, is not directly chosen by those citizens, but rather by the electoral college, an anachronism in this space age.

The electoral college was originally established to assure the election of high-caliber men to the Presidency, to be fair to the Southern States where slaves could not vote, and to prevent voters from cannishly supporting candidates from their own States. As the party system has developed, none of these reasons remain valid. In his book, "Paths to the Present" historian Arthur M. Schlesinger put it:

What demoted the electoral college from a deliberative body to a puppet show was the rise of political parties. As people began taking sides on public questions, they were unwilling to leave the crucial choice of the Chief Executive to a sort of lottery. Instead, each party publicly announced its slate of electors and the candidate they would support. This usurpation of the electors' functions, though peaceably achieved, amounted to a coup d'etat. It was an amendment of the written Constitution by the unwritten constitution. The electors, while retaining the legal status of independence, became henceforth hardly more than men in livery taking orders from their parties.

The delegates to the Constitutional Convention—the Founding Fathers—were, for the most part, definitely opposed to electing the President by direct



popular vote, agreeing with George Mason of Virginia that—

It were as unnatural to refer the choice of a proper character for Chief Magistrate to the people, as it would be to refer a trial of colors to a blind man.

The delegates to the Convention—for the most part conservative New England merchants and southern landholders—distrusted the ability of the average citizen of that day to decide questions of such gravity. Moreover, the discussions at the Convention revealed that the delegates did not believe that it was possible for a voter in one State to know anything about the ability or character of public men in the other States scattered along our 1,500-mile shoreline.

Today, when our population is almost 100 percent literate, when all Americans have the advantage of an elementary and secondary education and millions more the advantage of a higher education, when television and radio bring candidates into every living room of the Nation, when the distance from Washington, D.C., to San Francisco, Calif., can be covered in less time than it took to travel from Washington to Baltimore at the time of the Constitutional Convention, it is absurd to maintain a vestigial remainder of an era in which the people were not fully trusted to choose their President. If George Washington, James Madison, Benjamin Franklin, John Hancock and other patriots who helped draft the Constitution of our country were alive today, they would not know this country. We live in a different world. Transportation and communication over thousands of miles is nearly instantaneous. We live in a new space age of change and challenge. The electoral college system no longer has any place in our Republic.

A few years ago the Supreme Court took the first step toward modernizing our electoral system when it handed down the one-man, one-vote rule on the reapportioning of State legislatures. It is now high time for the Congress to take the next logical step and make the vote of every citizen count equally in the election of a President and Vice President.

The present electoral college system is riddled with real and potential evils. It permits the votes of the citizens of smaller States to weigh more heavily than those of citizens of our more populous States. At the same time, it permits outsize power to be given to third parties and minority groups in the larger States where often very few popular votes can shift all the electoral votes of a State from one candidate to another.

Furthermore, it allows the possibility of the election of a President who did not receive a plurality of the total votes cast throughout the Nation. Three times in our history there have actually been cases in which a President was elected who received a smaller number of votes than the number received by his closest opponent: John Quincy Adams in 1824, over Jackson; Rutherford B. Hayes in 1876, over Tilden; and Benjamin Harrison in 1888, over Cleveland. In the first case, the minority President was chosen by the House of Representatives; in the other two, by a majority vote of the electoral college.

Also, under the present system there is no guarantee in many States that the electors will cast their votes for the presidential candidate who receives a majority of the votes in a particular State.

Mr. President, every citizen should have an equal voice in the selection of the President. The only way to assure this is by direct election of the President and Vice President. Public sentiment for this is growing, and I was glad to note that last month the American Bar Association's commission on electoral college reform recommended that the electoral college system be abolished and replaced by direct popular vote of the people of the country. The commission concluded—

The electoral college method of electing a President of the United States is archaic, undemocratic, complex, ambiguous, indirect and dangerous. . . . While there may be no perfect method of electing a President, we believe that direct nationwide popular vote is the best of all possible methods.

Mr. President, I am happy to be a cosponsor of the Senate joint resolution introduced by the junior Senator from Indiana [Mr. BAYH] to amend the Constitution to provide for the direct election of the President and Vice President. The time is long due for this essential reform, and I am hopeful that this constitutional amendment will be approved by the Congress early in this session, so that it may possibly be ratified by the States before the next presidential election. If this should not be achieved then surely before 1972 we must abolish the archaic electoral college.

#### NATIONAL WATER COMMISSION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 28, Senate bill 20.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 20) to provide for a comprehensive review of national water resources problems and programs, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JACKSON. Mr. President, the bill now before the Senate is S. 20. This bill would establish a National Water Commission composed of seven members appointed by the President and confirmed by the Senate. The Commission would be charged with the important responsibility of undertaking a comprehensive review of the Nation's water resource problems, programs, and policies.

Members of the Senate will recognize that this is the same bill which passed the Senate without opposition late in the 89th Congress. The House of Representatives failed to take floor action on this measure prior to adjournment, however, and it has been carried over into the 90th Congress.

When passed last year, this bill had 47 cosponsors; this year 53 of my colleagues have joined as cosponsors. Their number, coupled with the fact that they rep-

resent both political parties, every region of the country, and 37 different States attests to the widely recognized need for an independent, objective review of the Nation's water resource policies, programs, and needs.

The National Water Commission which this bill would establish is a logical and, I believe, a necessary link in the unprecedented series of important water resource measures which the Congress has enacted in recent years. These measures include the Water Resources Planning Act, amendments to the Water Pollution Control Act, the Water Resources Research Act, the Water Projects Reaction Act, several Saline Water Conversion Acts and many others.

When these previous measures were considered, it was widely recognized and acknowledged that imaginative new approaches were being undertaken in an effort to resolve the age-old problems of water supply and water quality.

When these measures were passed, most of us realized that a vehicle similar in purpose to the National Water Commission would be needed—and needed soon—to review past and recent legislation; to assess the state of the art of water resource management; to determine the adequacy of present technology and institutional arrangements; and to point out the alternatives that are open to the future.

The bill we are considering today, S. 20, will create a National Water Commission to perform this function of review. The mandate of the Commission will be to study alternative solutions to water resource problems without prior commitment to any interest group, region, or agency of Government. The bill vests the Commission with authority to set up a small staff composed of the finest talent available, to hire consultants, to enter into contracts for surveys and studies with private and public organizations, and to utilize the personnel, services, and informational resources of existent Federal agencies. In addition, the bill provides for close coordination between the Commission and the Water Resources Council and the River Basin Planning Commissions established under the Water Resources Planning Act.

The results of an independent and objective survey of our water resources would be of immense benefit to the administration and to the Congress in charting the course of future development and legislation. In addition, every region of the country which either has, or which might in the future experience water resource problems will be the beneficiary of the dispassionate, comprehensive, in depth study which this bill will provide.

This measure was initially submitted to the 89th Congress by the Bureau of the Budget following the President's request for such a commission in his message to the Congress on preserving our national heritage. In the 90th Congress, the President reaffirmed the administration's commitment to the establishment of a National Water Commission in both his budget message and in his message on protecting our natural heritage.

The Committee on Interior and Insular Affairs, after extensive consideration of



this measure in the past two Congresses, believes that S. 20 is one of the most significant and important water resource measures it has considered in recent years. Passage of this measure is essential to the proper development and wise use of the Nation's water resources, and the committee strongly urges its enactment.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. STENNIS. Mr. President, I wish to commend the Senator, as well as his committee, for the work that has been done on this fine measure. I am certainly strongly in favor of it. I hope that it becomes law. It has great possibilities.

Mr. JACKSON. I appreciate the Senator's comments.

Mr. ALLOTT. Mr. President, I rise to discuss the bill not for the purpose of opposing it, as such, but because I feel there are certain problems and aspects of the bill which should be called to the attention of the Congress. These problems were all raised in the hearings on the bill last year.

Mr. President, one of the first of these problems is the fact that there is, in my opinion, a grave danger that under this bill the National Water Commission, when used in connection with the River Basins Planning Commission and the Water Resources Council, will result in a proliferation of commissions and boards which will enable them to place one against the other in the development of our water resources in this country.

Mr. President, I shall not go into all of the details of the hearings, but I think it is wise to discuss them at this time and to state that the hearings specifically state that there is no intention to make the National Water Commission a substitute for the River Basins Planning Commission, which we previously enacted. The idea of the National Water Commission cannot reasonably be objected to if the Commission directly serves its stated objective. Further, the people of this country have a right to expect of the Commission that it will not become a handy vehicle by which interests other than the interests of real progress in solving our pressing water problems are served.

Should this bill become law and the National Water Commission appointed, it is my sincere hope that the Commission will be a vital and constructive force in the resolution of our many difficult water problems which face us today.

Mr. President, the second point I wish to make is that the bill does have contained within it an amendment which was originally offered by the distinguished senior Senator from California [Mr. KUCHEL] relative to the Senate confirmation of appointees. This provision was not originally in the bill. I feel a great deal more comfortable with respect to the commission now that this particular amendment is in the bill.

The Allott proposal to enumerate some of the fields of experts in selecting commission members should have been included in the bill or in the report. Mr.

Phillip Hughes, the Deputy Director of Bureau of the Budget, indicated in an answer to a question by me as to what he meant by "diverse backgrounds," suggested that the fields of specialization should include economics, pollution, waste treatment, conservation, recreation, and people extremely knowledgeable in water resources.

Mr. President, I must say frankly that my concern has been that too many people from the field of economics would be involved and not enough people who know something about water and the problems which arise from its conservation and use.

Later in the hearings last year, Eugene B. Waggoner, president of the Consultant Engineers Council of the United States, suggested the following makeup of the commission: Two engineers—one civil engineer and one sanitary engineer—one ground water expert, one water attorney, one agriculturalist, one economist, and one conservationist. These could be expanded of course, ad infinitum.

Mr. President, I believe that the author of the bill, the distinguished chairman of the Committee on Interior and Insular Affairs, will agree with me, that the record is clear that we do want a commission made up of people with diverse backgrounds, and that any commission which does not have a broad, diverse background would not be acceptable, as far as confirmation by the Senate is concerned.

Third, I should like to refer to another matter briefly. I had offered an amendment to the last bill, which would have directed the Commission to give first priority to the water resources of the Pacific Southwest and the Colorado River Basin.

In the hearings last year the Senator from California [Mr. KUCHEL] asked this question of Secretary Udall:

Without in any way attempting to put any words in your mouth, is it fair to say, Mr. Secretary, that you feel there is no greater water problem in this Nation today than that which faces the States in the Colorado River basin?

Secretary Udall replied:

Well, I think, in terms of the impending serious water shortages that have clearly emerged, that certainly this is the first priority area in terms of crisis.

Mr. Hughes, Deputy Director of the Bureau of the Budget, stated, along the same line:

As Secretary Udall indicated this morning, we have supplemented our earlier comments on the Commission by indicating that some priorities with respect to Western problems and perhaps the Colorado River Basin in particular would be acceptable to us and appropriate.

Later, Mr. Hughes said in colloquy with the Senator from California:

It would seem to me that the Commission bill language, or perhaps the legislative history, could be worded to meet the priority need, as we see it and as the Congress sees it, of the West and the Colorado Basin in particular.

Mr. President, therefore, it would be one of my hopes that this Commission would see it as one of the biggest and most immediately pressing problems to

get into the West or Southwest United States and Colorado River question, and do it at an early time.

Mr. President, the final point I wish to make is this: I stated in the hearings as follows, and I refer to those of last year:

Senator ALLOTT. Section 3(a)(2) of the bill on page 3 reads as follows:

"Consider economic and social consequences of water resource, development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements of— whatever that is—"

"And on esthetic values affecting the quality of life of the American people."

Do you consider that that is in any sense a directive which would authorize the Commission to go beyond the legal concepts which have been adopted and established such as, for example, the Colorado River compact, the Upper Colorado River compact, the Colorado River Projects Act, and so forth?

Secretary GARDNER. I think once you set up a commission of private citizens, they can make any kinds of suggestions they want. It would be very difficult not to allow them to make whatever kinds of suggestions they thought useful in the interest of public policy. But I don't see anything in the sentence that would necessarily go beyond that.

Senator ALLOTT. Would what?

Secretary GARDNER. I don't see anything in the sentence that would go beyond authority you described.

Senator ALLOTT. Well, the point of it is that there are hundreds of millions of dollars invested in the West which are dependent upon these particular compacts and the distribution of water. They actually represent legal ownership of water by the people who own them, who have made these investments pursuant to that ownership, and I would like to make the point here—if you disagree, I would be happy to have you comment on it—that I don't want to see this thing get off in the direction of, "We ought to abandon the legal concepts developed from our interstate compacts as interpreted by the Supreme Court" and end up with, "There are more people here so they ought to have more water."

Secretary GARDNER. No. I don't have any feeling that that is the direction.

I repeat that because I think it is very vital that we have a legislative record of what the function of this Commission is, of what its membership should consist, and that it is not in any way or in any sense empowered or entitled to change the direction or the degree of the compacts with relation to the Colorado River compact, the Upper Colorado River compact, or the Colorado River Storage Project Act.

Thus, with these few remarks, I hope that I have made the legislative record clear as to what this Commission is, what we expect of it, and what its membership shall consist of.

Mr. DOMINICK. Mr. President, will my colleague yield?

Mr. ALLOTT. I am happy to yield to my distinguished colleague.

Mr. DOMINICK. I want to make clear for my own benefit, and for the RECORD, certain things concerning the National Water Commission. Do I correctly understand that it is a study group only?

Mr. ALLOTT. That is correct.



Mr. DOMINICK. It is to study the areas of need and the degree of the problems existing in the various sections of the country.

Mr. ALLOTT. That is correct.

Mr. DOMINICK. There is no authority to supersede the commissions that we have on this subject already?

Mr. ALLOTT. That is my complete understanding of it. I think the record is clear.

The chairman of the committee, the distinguished Senator from Washington [Mr. JACKSON], is in the Chamber, and I think he should—for himself and the majority of members of the committee—answer that question, if he would.

Mr. JACKSON. I know of nothing in the pending measure that is inconsistent with the other commissions at the present time.

Mr. DOMINICK. I wonder if the chairman would be kind enough to further explain his understanding.

Mr. JACKSON. The Commission, as the Senator from Colorado [Mr. ALLOTT] pointed out, is an advisory body. It can make only recommendations. It has no authority to enact or to implement into law anything. It is purely advisory.

Mr. DOMINICK. It is not designed, is it, to conduct feasibility studies or anything of that kind?

Mr. JACKSON. It is not involved in feasibility studies of any kind or in authorizations of any nature.

Mr. DOMINICK. Would the distinguished Senator from Washington perhaps continue to explain what is envisioned as the real role of the National Water Commission?

Mr. JACKSON. If the Senator will turn to page 3 of the bill, it sets out the duties of the Commission, beginning on line 2. Then in the report on page 2 accompanying the bill, the duties of the Commission are also set out. Let me read the first paragraphs:

The mandate of this Commission will be to study alternative solutions to water problems without prior commitment to any interest group, region, or agency of Government. The Commission will be charged with the responsibility of objectively reviewing the premises underlying our water resources policy and making recommendations in the light of broad national interest.

The National Water Commission must critically study past, present, and proposed water programs. It should tell the Nation what it has done right, what it has done wrong, and what it is not doing that it should be doing.

The National Water Commission must come to grips with fundamental policy questions and recommend how this Nation's water resources should be utilized so as to maximize public benefit. The advice and guidance of the Commission will be invaluable to the President and the Congress when making decisions on specific project proposals which have far-reaching effects.

That is a good statement of the assigned mission of the proposed Commission.

Mr. DOMINICK. I want to thank both the Senator from Washington and my colleague for stating very clearly the purpose and role of this Commission.

Mr. ALLOTT. I thank my colleague. Mr. President, I yield the floor.

Mr. KUCHEL. Mr. President, this legislation has been sponsored by more than half the Members of the Senate. It is about to be approved, as, indeed, a similar measure was approved in the Senate a year ago.

In a real sense, it is a tribute to my colleague and my friend, the Senator from Washington [Mr. JACKSON], and I pay my respects to him. I also pay my respects to my able friend from Colorado, with whose position I associate myself.

I cannot say, Mr. President, that the concept of this bill is without merit, but I can say that if it were to become the law of the land, I would not want it used to delay congressional action on the vital, complex, and worsening water problems of the Pacific Southwest, including the State from which I come.

I need only to repeat my congratulations and approval to my friend from Colorado for the amendments which he offered and which I support. I share his gratitude that the Senate will be given an opportunity to pass judgment on the men who will sit on this commission.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to my friend.

Mr. ALLOTT. I appreciate the Senator's remarks. I think that this bill would probably be unacceptable to me personally without the amendment which the distinguished senior Senator from California put in the bill last year with respect to Senate confirmation of the appointees.

I believe, and hope, and pray that members of the Commission will be selected from a wide diversity of expertise.

I am sure the Senator will agree with me that if this bill should become law and the Commission should be appointed by the President and submitted to the Senate for confirmation, and if the Commission did not represent the diversity of professional experience that we anticipate, we would be justified in rejecting the nominations made to the Senate.

Would the Senator agree with that statement?

Mr. KUCHEL. The Senator is completely correct. I remember very well the discussion we had and the cross-examination he participated in with representatives of the executive department, which agree with the position he has just taken. It is a position which, it must be crystal clear, the Senate is about to approve.

I have no further comment, Mr. President, except to repeat that I do not want this legislation to impede the vital work of the Federal Government in bringing assistance to the serious water situation in the Pacific Southwest. I simply make that statement as the Senate sends this legislation to the House.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 20

*Be it enacted by the Senate and House of Representatives of the United States of*

*America in Congress assembled, That this Act may be cited as the "National Water Commission Act".*

#### THE NATIONAL WATER COMMISSION

SEC. 2. (a) There is established the National Water Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members, who shall be appointed by the President, by and with the advice and consent of the Senate. Members shall serve at the pleasure of the President. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(c) The President shall designate a Chairman of the Commission (hereinafter referred to as the "Chairman") from among its members.

(b) Members of the Commission may each be compensated at the rate of \$100 for each day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

(e) The Commission shall have an Executive Director, who shall be appointed by the Chairman with the approval of the President and shall be compensated at the rate provided by law for level IV of the Federal Executive Salary Schedule. The Executive Director shall have such duties and responsibilities as the Chairman may assign.

#### DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to, desalting, weather modification, and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

(b) The Commission shall consult with the Water Resources Council regarding its studies and shall furnish its proposed reports and recommendations to the Council for review and comment. The Commission shall submit to the President such interim and final reports as it deems appropriate, and the Council shall submit to the President its views on the Commission's reports. The President shall transmit the Commission's final report to the Congress together with such comments and recommendations for legislation as he deems appropriate.

(c) The Commission shall terminate not later than five years from the effective date of this Act.

#### POWERS OF THE COMMISSION

SEC. 4. (a) The Commission may (1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and



agencies of the United States; (4) without regard to the civil service laws and regulations and without regard to the Classification Act of 1949 as amended, employ and fix the compensation of such personnel as may be necessary to carry out the functions of the Commission: *Provided*, That of such personnel no more than five persons may receive compensation equivalent to the compensation established for grade 18 under the Classification Act of 1949 as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; (7) enter into contracts or agreements for studies and surveys with public and private organizations and transfer funds to Federal agencies and river basin commissions created pursuant to title II of the Water Resources Planning Act to carry out such aspects of the Commission's functions as the Commission determines can best be carried out in that manner; and (8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this title.

(b) Any member of the Commission is authorized to administer oaths when it is determined by a majority of the Commission that testimony shall be taken or evidence received under oath.

#### POWERS AND DUTIES OF THE CHAIRMAN

SEC. 5. (a) Subject to general policies adopted by the Commission, the Chairman shall be the chief executive of the Commission and shall exercise its executive and administrative powers as set forth in section 4(a)(2) through section 4(a)(8).

(b) The Chairman may make such provision as he shall deem appropriate authorizing the performance of any of his executive and administrative functions by the Executive Director or other personnel of the Commission.

#### OTHER FEDERAL AGENCIES

SEC. 6. (a) The Commission may, to the extent practicable, utilize the services of the Federal water resource agencies.

(b) Upon request of the Commission, the head of any Federal department or agency or river basin commission created pursuant to title II of the Water Resources Planning Act is authorized (1) to furnish to the Commission, to the extent permitted by law and within the limits of available funds, including funds transferred for that purpose pursuant to section 4(a)(7) of this Act, such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with this Commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(c) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided*, That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And pro-*

*vided further*, That the Commission shall not be required to prescribe such regulations.

#### APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this Act.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### PROTOTYPE DESALTING PLANT

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 52, S. 270.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 270) to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KUCHEL. Mr. President, I very much doubt that this Congress, when it concludes, will have considered a more far-reaching proposal than that now pending. This proposed legislation provides that the Government of the United States shall participate in a far-reaching undertaking, by which a 42-acre island will be constructed 1 mile seaward from the California coastline, on which will be located giant nuclear-propelled engines to change the water of the sea into potable water to the extent of 150 million gallons of fresh water a day—enough to supply a great city—and simultaneously produce and sell more electric energy than that produced, at the moment, at the Hoover Dam.

The Senate approved this legislation a year ago. I regret that it was not considered in the House.

It represents Federal progress toward the solution of a problem which plagues the State from which I come, the Pacific Southwest, many other areas in this country, and also across the sea.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill (S. 270) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

#### S. 270

A bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is authorized to participate in the development of technology for a large-scale desalting plant by providing financial, technical, or other assistance to

the Metropolitan Water District of Southern California for the design, development, construction, and operation of a water treatment and desalting plant to be constructed as a part of a dual-purpose electrical power generation and desalting project in the southern California area.

SEC. 2. Before providing any assistance as authorized by this Act, the Secretary shall first determine that the value of the anticipated technical knowledge and experience in desalting to be derived from his participation in the construction and operation of this facility will be not less than the amount of such assistance.

SEC. 3. In order to provide the assistance authorized by this Act, the Secretary may, without regard to the provisions of Revised Statutes 3648, enter into a contract with the Metropolitan Water District containing such terms and conditions as he deems appropriate and covering such periods of time as he considers necessary, but under which the liability of the United States shall be contingent upon appropriations being available therefor.

SEC. 4. To carry out the purposes of this Act, there are authorized to be appropriated not to exceed \$57,200,000, which shall remain available until expended.

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### CHANGES IN COMMUNISTS

Mr. HARRIS. Mr. President, it was a thoughtful, informed President who at his most recent press conference acknowledged the changes that are taking place in the attitudes of other nations in the decades since the end of World War II.

This display of openness of mind by our Chief Executive should serve to reassure Americans who understand that change distinguishes our times, and a government that is not prepared to change with change cannot continue as a great force in the world. The President's thoughtful comments indicate that our Government is not only aware of the momentous changes in the world, but is also prepared to adapt our own policies and programs to take advantage of these shifts in attitude.

The war in Vietnam is proof enough that threats to freedom still exist in our world, but it may be that the character of these threats and the motivation behind them have altered. The President's press conference has served notice that we are not only aware of, but are also often encouraged by these changes.

To an optimist, to one convinced of the rightness of the American cause, these changes are welcome. The tide of world affairs must flow inescapably toward the ideals of freedom and personal dignity to which we as a nation are committed.

America can be assured that our leaders sense the tide, and know that upon it we can advance the interests of our Nation and the people of the world.

#### ASIANS FIND UNITED STATES THE MOST BAFFLING NATION

Mr. HARRIS. Mr. President, I was interested to read a rather pointed col-



umn by Crosby S. Noyes entitled "Asians Find United States the Most Baffling Nation," in yesterday's Washington Post.

In the thought that it might be of interest to other Senators who have not seen the article, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed the RECORD, as follows:

ASIANS FIND UNITED STATES THE MOST  
BAFFLING NATION  
(By Crosby S. Noyes)

BANGKOK.—Americans schooled in the Kiplingesque tradition of the inscrutable Oriental may be surprised to discover that for a good many Asians we are the most baffling, illogical and generally exasperating people on earth.

They will tell you very frankly and a little sadly that we just don't make much sense. They have suspected it for some time. But if final proof were called for, the current American hand-wringing and soul-searching over Vietnam is providing it.

Here you are, they say, the most powerful nation in the world. For years now you have been telling us that American power is dedicated to the principle that people have a right to choose the kind of government they want. You have encouraged us to believe that the power of the United States supported those countries large and small who chose to defend their freedom.

In Vietnam, they criticize, we have always known that the future of Southeast Asia was at stake. We have always hoped and expected that the United States would live up to its promises to prevent the success of Communist aggression in the south. We have been impressed by your determination and your restraint. And we have helped you as much as we could.

We have always been sure that if you wished to, you would succeed in Vietnam. We have known that when you did succeed your prestige, not only in Asia but around the world, would be unrivaled.

And this is what we do not understand about Americans. Today, you have done what you said you would do and you are succeeding. And the more you succeed the more Americans there are who say you should never have made your commitment in Vietnam and some even who say that what happens in Asia is of no interest to the United States.

The people in Asia who talk this way are by no means simple-minded or naive.

Thanat Khoman, Thailand's brilliant foreign minister who speaks five languages and rates as one of the most effective operators on the diplomatic scene, returned recently from the United States alarmed and depressed by what he heard there.

To Thanat and many others like him, it is utterly mystifying that Americans with pretensions to intellectual integrity and political awareness should be working actively at this point to frustrate the American effort in Vietnam and turn success into a disaster of incalculable proportions.

He is frankly dismayed by ponderous editorials in supposedly responsible newspapers advocating what amounts to a barely concealed surrender in Vietnam. He is disturbed by the spectacle of an administration be-seiged and bedeviled by members of its own party.

It is also hard to exaggerate the sheer offensiveness of some of the propositions advanced by this dissenting group.

Intelligent Asians are shocked by the sophistries of American intellectuals who argue that the defeat of free Asian nations is inevitable and that elementary human rights taken for granted in the West somehow do not apply in this part of the world. If the decisive sabotage of Western interests

in Asia is the goal, this kind of perverse inverted racism is ideally adapted to the objective.

Nor is it very easy to convince our friends in Asia that this kind of thinking is limited to a small vociferous minority who do not speak for the American people and wield limited influence on the government. The currency given to the ideas of this minority rivals that of the administration itself. And even the continuing demonstrations of American determination in Vietnam does not relieve a mouting anxiety over the state of mind in the United States.

At the very least we are suspected of a severe schizophrenia over the war in which moral and political values which most people believed to be firmly rooted in the American character have come badly unstuck. Given the existing realities, there is for Asians no other reasonable explanation for a loss of confidence at a time when success seems inevitable.

For Americans there may be some reassurance in the fact that this loss of confidence does not seem to be catching. Asia at this point is very definitely making book on a American victory in Vietnam. The events taking place there are transforming the politics and the calculations in an area where two-thirds of the human race lives. And perhaps it is only in the United States—and possibly in Peking and Hanoi—that a real question still persists over what the future holds.

DEPARTURE OF UNIVERSITY OF  
CALIFORNIA PRESIDENT

Mr. BYRD of West Virginia. Mr. President, to those of us who have long deplored the noxious confusion on the University of California campus, the article by James J. Kilpatrick in the February 2 Evening Star, Washington, D.C., presents a good question. That article, "Is Kerr's Departure a Disaster?" points out that the Berkeley institution will doubtlessly survive as a great institution of learning and that it may well benefit from an impetus to greater discipline, individual responsibility, and respect for authority.

I ask unanimous consent that this newspaper article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS KERR'S DEPARTURE A DISASTER?  
(By James J. Kilpatrick)

The late Douglas Southall Freeman is best remembered as a famed historian and editor, but he was also for many years an active member of the board of visitors of the University of Richmond. It was in this capacity that he once drafted Freeman's Rules of Parliamentary Procedure for the Governing Boards of Institutions of Higher Learning.

These were quite brief, and went something to this effect:

"The annual meeting having been called to order, the chair shall immediately entertain a motion to fire the president of the university, which motion, being privileged and not subject to debate, shall be put at once to a vote. If the motion carry, the next motion shall be a motion to appoint a committee on succession. If the motion fail, the next motion shall be a motion to adjourn."

The Freeman Rules were drafted with a twinkle of course, but they contained a hard glint of truth. In any effective academic chain of command, a president must be responsible for the university he heads; but the regents must be responsible for the president they choose. Responsibility becomes meaningless unless authority goes with it,

and authority has no meaning without the power to exert it.

These truisms apply with special aptness to the recent dismissal of Dr. Clark Kerr as president of the University of California. He had been given full responsibility for running one of the world's great systems of higher learning. In the ten days since his ouster, the liberal press has fairly burred with praise of his achievement—the Nobel laureates attracted to Berkeley, the endowments added, the buildings erected, the research completed—and doubtless a meritorious case can be made in these fields.

Yet the regents clearly had the responsibility to examine Kerr's total record. As the Freeman Rules suggest, this was very nearly the whole of their responsibility. And it may be that the regents perceived far more clearly than Kerr's admirers have perceived, that his record of achievement could not overcome his record of failure.

The charge against Kerr is not merely that he exhibited weak and ineffective discipline—that he let a part of his kindergarten run the school. The charge is much deeper than his feeble tolerance of a Mario Savio, a Bettina Aptheker. It boils down to a failure on the part of Kerr to comprehend the very essence of a free university, which is that freedom depends upon order.

This is not to say that freedom depends upon regimentation, which is a very different thing. It is merely to say that the pursuit of truth becomes a travesty, when truth must be pursued through an artificial maze of booby traps, pitfalls and kid games. It is not for nothing that we speak of academic "disciplines." But at Berkeley, the very word "discipline" had become a mockery. In his devastating essay on the university's decline, published in Atlantic last fall, Professor Lewis Feuer made precisely this point—that Berkeley had yielded to a perversion of freedom so gross that true freedom was hard put to survive.

In the aftermath of Kerr's dismissal, the trumpeters of instant liberalism sounded a predictable dirge. They blamed it all on Gov. Ronald Reagan (though the motion to dismiss originated with an appointee of former Gov. Edmond G. (Pat) Brown). They charged it to a right-wing political conspiracy (though the majority against Kerr cut across lines of both party and philosophy). A covey of California congressmen—Cohelan, Walde, Edwards, Burton, Tunney—rushed to the floor to denounce the regents' action as unwarranted, unbelievable, unthinkable, ill-considered and disastrous. The New York Times could see only the "twilight of a great university."

This is nonsense. As the whole story emerges and takes on perspective, it becomes apparent that Kerr himself forced a showdown, and that his own glaring faults as an administrator cannot be obscured in an adulatory fog. And far from being a disaster, his dismissal may well prove to be the university's salvation. In exercising their undoubted authority to fire the president, the regents provided a sudden and dramatic reminder of the order that is indispensable to freedom.

Berkeley will survive as a great institution of learning. It is bigger than Kerr, greater than its sometimes dictatorial faculty, more enduring than the forces of bombast and politics that have lately swirled about it. But it cannot regain its prestigious reputation without a new dedication, from top to bottom, to discipline, responsibility and authority. The regents—or at least a solid majority of them—recognize this. A new president will have to recognize it, too.

EDITOR OF COAL AGE RETIRING

Mr. BYRD of West Virginia. Mr. President, it has come to my attention that Mr. Ivan A. Given, for 23 years







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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 1967

Referred to the Committee on Interior and Insular Affairs

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AN ACT

To provide for a comprehensive review of national water resource problems and programs, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "National Water Com-  
4       mission Act".

5                   THE NATIONAL WATER COMMISSION

6       SEC. 2. (a) There is established the National Water  
7       Commission (hereinafter referred to as the "Commission").

8       (b) The Commission shall be composed of seven mem-  
9       bers, who shall be appointed by the President, by and with  
10      the advice and consent of the Senate. Members shall serve  
11      at the pleasure of the President. No member of the Com-



1 mission shall, during his period of service on the Commission,  
2 hold any other position as an officer or employee of the  
3 United States, except as a retired officer or retired civilian  
4 employee of the United States.

5 (c) The President shall designate a Chairman of the  
6 Commission (hereinafter referred to as the "Chairman")  
7 from among its members.

8 (d) Members of the Commission may each be compen-  
9 sated at the rate of \$100 for each day such member is  
10 engaged in the actual performance of duties vested in the  
11 Commission. Each member shall be reimbursed for travel  
12 expenses, including per diem in lieu of subsistence, as au-  
13 thorized by law (5 U.S.C. 73b-2) for persons in the  
14 Government service employed intermittently.

15 (e) The Commission shall have an Executive Director,  
16 who shall be appointed by the Chairman with the approval  
17 of the President and shall be compensated at the rate pro-  
18 vided by law for level IV of the Federal Executive Salary  
19 Schedule. The Executive Director shall have such duties  
20 and responsibilities as the Chairman may assign.

21 DUTIES OF THE COMMISSION

22 SEC. 3. (a) The Commission shall (1) review present  
23 and anticipated national water resource problems, making  
24 such projections of water requirements as may be necessary  
25 and identifying alternative ways of meeting these require-

1 ments—giving consideration, among other things, to con-  
2 servation and more efficient use of existing supplies, in-  
3 creased usability by reduction of pollution, innovations to  
4 encourage the highest economic use of water, interbasin  
5 transfers, and technological advances including, but not  
6 limited to, desalting, weather modification, and waste water  
7 purification and reuse; (2) consider economic and social  
8 consequences of water resource development, including, for  
9 example, the impact of water resource development on re-  
10 gional economic growth, on institutional arrangements, and  
11 on esthetic values affecting the quality of life of the Ameri-  
12 can people; and (3) advise on such specific water resource  
13 matters as may be referred to it by the President and the  
14 Water Resources Council.

15 (b) The Commission shall consult with the Water Re-  
16 sources Council regarding its studies and shall furnish its  
17 proposed reports and recommendations to the Council for  
18 review and comment. The Commission shall submit to the  
19 President such interim and final reports as it deems appro-  
20 priate, and the Council shall submit to the President its  
21 views on the Commission's reports. The President shall  
22 transmit the Commission's final report to the Congress to-  
23 gether with such comments and recommendations for legis-  
24 lation as he deems appropriate.

1           (c) The Commission shall terminate not later than five  
2 years from the effective date of this Act.

3                               POWERS OF THE COMMISSION

4           SEC. 4. (a) The Commission may (1) hold such hear-  
5 ings, sit and act at such times and places, take such testi-  
6 mony, and receive such evidence as it may deem advisable;  
7 (2) acquire, furnish, and equip such office space as is neces-  
8 sary; (3) use the United States mails in the same manner  
9 and upon the same conditions as other departments and  
10 agencies of the United States; (4) without regard to the  
11 civil service laws and regulations and without regard to  
12 the Classification Act of 1949 as amended, employ and fix  
13 the compensation of such personnel as may be necessary to  
14 carry out the functions of the Commission: *Provided, That*  
15 of such personnel no more than five persons may receive  
16 compensation equivalent to the compensation established  
17 for grade 18 under the Classification Act of 1949 as  
18 amended; (5) procure services as authorized by section  
19 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates  
20 not to exceed \$100 per diem for individuals; (6) purchase,  
21 hire, operate, and maintain passenger motor vehicles; (7)  
22 enter into contracts or agreements for studies and surveys  
23 with public and private organizations and transfer funds to  
24 Federal agencies and river basin commissions created pur-  
25 suant to title II of the Water Resources Planning Act to



1 carry out such aspects of the Commission's functions as the  
2 Commission determines can best be carried out in that  
3 manner; and (8) incur such necessary expenses and exer-  
4 cise such other powers as are consistent with and reasonably  
5 required to perform its functions under this title.

6 (b) Any member of the Commission is authorized to  
7 administer oaths when it is determined by a majority of  
8 the Commission that testimony shall be taken or evidence  
9 received under oath.

#### 10 POWERS AND DUTIES OF THE CHAIRMAN

11 SEC. 5. (a) Subject to general policies adopted by the  
12 Commission, the Chairman shall be the chief executive of  
13 the Commission and shall exercise its executive and admin-  
14 istrative powers as set forth in section 4(a) (2) through  
15 section 4(a) (8).

16 (b) The Chairman may make such provision as he shall  
17 deem appropriate authorizing the performance of any of his  
18 executive and administrative functions by the Executive  
19 Director or other personnel of the Commission.

#### 20 OTHER FEDERAL AGENCIES

21 SEC. 6. (a) The Commission may, to the extent prac-  
22 ticable, utilize the services of the Federal water resource  
23 agencies.

24 (b) Upon request of the Commission, the head of any

1 Federal department or agency or river basin commission  
2 created pursuant to title II of the Water Resources Planning  
3 Act is authorized (1) to furnish to the Commission, to the  
4 extent permitted by law and within the limits of available  
5 funds, including funds transferred for that purpose pursuant  
6 to section 4 (a) (7) of this Act, such information as may  
7 be necessary for carrying out its functions and as may be  
8 available to or procurable by such department or agency, and  
9 (2) to detail to temporary duty with this Commission on  
10 a reimbursable basis such personnel within his administra-  
11 tive jurisdiction as it may need or believe to be useful for  
12 carrying out its functions, each such detail to be without loss  
13 of seniority, pay, or other employee status.

14 (c) Financial and administrative services (including  
15 those related to budgeting, accounting, financial reporting,  
16 personnel, and procurement) shall be provided the Com-  
17 mission by the General Services Administration, for which  
18 payment shall be made in advance, or by reimbursement  
19 from funds of the Commission in such amounts as may be  
20 agreed upon by the Chairman of the Commission and the  
21 Administrator of General Services: *Provided*, That the reg-  
22 ulations of the General Services Administration for the collec-  
23 tion of indebtedness of personnel resulting from erroneous  
24 payments (5 U.S.C. 46e) shall apply to the collection of  
25 erroneous payments made to or on behalf of a Commission

1 employee, and regulations of said Administrator for the  
2 administrative control of funds (31 U.S.C. 665 (g) ) shall  
3 apply to appropriations of the Commission: *And provided*  
4 *further*, That the Commission shall not be required to pre-  
5 scribe such regulations.

6 APPROPRIATIONS

7 SEC. 7. There are hereby authorized to be appropriated  
8 such sums as are required to carry out the purposes of this  
9 Act.

Passed the Senate February 6, 1967.

Attest:

FRANCIS R. VALEO,

*Secretary.*



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# AN ACT

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To provide for a comprehensive review of national water resource problems and programs, and for other purposes.

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FEBRUARY 7, 1967

Referred to the Committee on Interior and Insular  
Affairs







# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued June 9, 1967  
For actions of June 8, 1967  
90th-1st; No. 90

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HIGHLIGHTS: House agreed to conference report on Interior appropriation bill, including FS. House passed food stamp bill. Rep. Michel criticized Secretary Freeman's statement on farm program to ASC personnel. Rep. Staggers introduced and discussed administration bill to provide reliability and efficiency of electric power systems. Rep. Zwach introduced and discussed bill to establish extension service in D. C. Rep. Skubitz introduced and discussed bill to permit adjustment of certain wheat allotments.

### HOUSE

APPROPRIATIONS. Agreed to the conference report on H. R. 9029, the Interior and related agencies (including Forest Service) appropriation bill (pp. H6880-4). Concurred in the Senate amendment, which had been reported in technical disagreement by the conferees, to transfer \$400,000 from "Timber development organization loans and technical assistance" to "Forest research" (p. H6884).

FOOD STAMPS. Passed, 230-128, with amendments S. 953 (in lieu of H. R. 1318), to continue the food stamp program (pp. H6889-916, H6918-19, H6969). Rejected,

90-143, an amendment by Rep. St. Germain to authorize \$275 million for 1969, \$350 million for 1970, and such amounts as may be determined for subsequent years (pp. H6890-5). Agreed, 148-91, to the committee amendment limiting the authorization to 1 year (pp. H6889-95). Rejected, by a record vote of 173-191, a committee amendment to require the States to pay 20% of the cost of the program, after first having agreed to the amendment by a teller vote of 141-120 (pp. H6895-906, H6914-5). Rejected an amendment by Rep. Ryan to prohibit exclusion of very low income persons (pp. H6906-9).

3. FARM PROGRAM. Rep. Michel criticized Secretary Freeman's statement on the farm program at a meeting of ASC personnel. p. H6957
  4. SELECTIVE SERVICE. Received the conference report on S. 1432, to extend and amend the Universal Military Training Act (H. Rept. 346). pp. H6884-9
  5. SALT-WATER RESEARCH. Concurred in the Senate amendment to H. R. 6133, to authorize various additional appropriations for the salt-water conversion program of research and demonstration. This bill will now be sent to the President. pp. H6875-7
  6. PROPERTY. A subcommittee of the Agriculture Committee approved for full committee action H. R. 472, to authorize the Department to purchase a land tract at Texas Southmost College, and H. R. 547, to provide for establishment of the Pleasanton Plant Materials Center at a more suitable location. p. D475
  7. WATER RESOURCES. A subcommittee of the Interior and Insular Affairs Committee approved for full committee action S. 20 (amended), to provide for a comprehensive review of national water resource problems and programs. p. D475
  8. PERSONNEL. Received from the Civil Service Commission a proposed bill "to amend subchapter III of chapter 83 of title 5, United States Code"; to Post Office and Civil Service Committee. p. H6977
  9. POVERTY. Rep. Patten inserted a letter commending the Job Corps. p. H6973
  10. ELECTRIFICATION; RECLAMATION. Rep. Hosmer commended the American Public Power Association's recommendations regarding the pending Colorado Basin Project legislation. pp. H6930-3
  11. LEGISLATIVE PROGRAM. Rep. Albert announced the legislative program for next week: Mon., silver certificates bill; Tues., defense appropriation bill; Wed., schooling for armed forces' dependents; Thurs., flag desecration bill; and at some time during the week, the conference report on the selective service bill. p. H6916
  12. ADJOURNED until Mon., June 12. p. H6977
- SENATE
13. INFORMATION. Began consideration of S. 1030, authorizing establishment of an informational media guaranty fund. p. S7928







# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
FOR INFORMATION ONLY;  
(NOT TO BE QUOTED OR CITED)

Issued June 15, 1967  
For actions of June 14, 1967  
90th-1st; No. 93

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HIGHLIGHTS: Rep. Gonzalez introduced and discussed bill to combine surplus commodities distribution program with food stamp program.

### HOUSE

1. PERSONNEL. The House Administration Committee reported S. 853, to extend the life of the Commission on Political Activity of Government Personnel (H. Rept. 364). p. H7263  
Rep. Nelsen inserted the testimony of David T. Stanley, Brookings Institute, recommending against liberalization of the Hatch Act. pp. H7232-4
2. WATER RESOURCES. The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 20, amended, to provide for a comprehensive review of national water resource problems and programs. D492-3

review of national water resource problems and programs, and H. R. 845, amended to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division, Missouri River Basin project. pp. D492-3

3. CIVIL RIGHTS. A subcommittee of the Judiciary Committee approved for full committee action H. R. 10805, to extend the life of the Civil Rights Commission. p. D493
4. PEANUTS. Rep. Abbitt spoke of the "dire plight" of the peanut farmers, criticized the Department's "failure" to give peanut producers a "fair support price," and inserted a statement of the secretary of the Virginia Peanut and Hog Growers Association before a "shirt sleeve meeting" of farmers at South Hill, Va. pp. H7227-8
5. OPINION POLL. Rep. Harvey inserted the results of an opinion poll including items of interest to this Department. pp. H7236-7
6. POVERTY. Rep. Gardner inserted copy of a letter he sent to OEO Director Shriver requesting an investigation of certain activities which he charges are "outside of the limits and purpose of the poverty program." p. H7237  
Rep. Patten commended the work of the Job Corps and criticized the proposed "opportunity crusade" which he said would "wreck the Nation's antipoverty program." p. H7254
7. LEGISLATIVE REORGANIZATION. Rep. Bolling discussed his legislative reorganization bill, H. R. 10748, and inserted a comparison of the provisions in it and other legislative reorganization proposals. pp. H7237-40
8. MARKETING. Both Houses received from this Department a draft bill to amend title II of the Agricultural Marketing Act of 1946 to assure that food products marked or labeled with the U. S. or U. S. D. A. prefix have been officially inspected or graded and to make it unlawful to represent food products as being of a particular grade when they had not been graded or had been graded at a different grade; to House Agriculture Committee and Senate Agriculture and Forestry Committee. pp. H7263, S8183

SENATE

9. FARM PRICES. Sen. McGovern criticized low farm prices and stated, "Subparity farm prices--now 74 percent of parity--endanger our own food supplies and impair our ability to conduct a successful international world food effort." pp. S8209-11
10. MEAT IMPORTS. Sen. Javits urged "the Finance Committee in considering a solution to the problems of the American cattle industry to bear very clearly in mind that the imposition of additional quotas on meat imports would have an adverse impact on millions of American consumers without being of material assistance to the cattle industry," and inserted an article to support his position. pp. S8203-4
11. SELECTIVE SERVICE. Agreed to the conference report on S. 1432, to amend and extend the Universal Military Training and Service Act. pp. S8161-83, S8188-92, S8213-5







# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
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OFFICE OF BUDGET AND FINANCE  
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Issued June 22, 1967  
For actions of June 21, 1967  
90th-1st; No. 98

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HIGHLIGHTS: House committee reported continuing appropriation resolution. Senate committee voted to report bill to extend salary and leave benefits for employees of ASC committees.

### HOUSE

1. APPROPRIATIONS. The Appropriations Committee reported H. J. Res. 652, making continuing appropriations for the fiscal year 1968 (H. Rept. 374). p. H7774
2. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendment S. 20, to provide for a comprehensive review of national water resource problems and programs (H. Rept. 376). p. H7774



3. DEBT LIMIT. Passed, 217-196, as reported H. R. 10867, to increase the public debt limit. The bill as passed "provides a permanent debt limitation of \$358 billion effective on July 1, 1967. This limitation will be in effect for the entire fiscal year 1968. Beginning with fiscal year 1969, this debt limitation will be increased temporarily by \$7 billion during the course of each fiscal year, but the debt limit will fall back to the permanent \$358 billion limit on the last day (June 30) of each fiscal year." Rejected, 190-223, a recommittal motion by Rep. Byrnes, Wisc., to reduce the limit to \$336 billion. pp. H7596-624, H6740-1
4. WATERSHEDS. A subcommittee of the Public Works Committee approved for full committee consideration work plans for six watershed projects. p. D515
5. RURAL AREAS. Rep. Dennon stated there is a need to create jobs in the Nation's rural communities. pp. H7625-6
6. 4-H CLUBS. Rep. Zwach spoke in support of his bill to establish 4-H youth leadership and home economics programs in the District of Columbia and outlined a few of the extension projects that have been undertaken in various areas. pp. H7626-31
7. RECLAMATION. Rep. Johnson, Calif., commended Floyd E. Dominy, Commissioner of Reclamation, for his work in the development of our reclamation resources and inserted Mr. Dominy's speech, "A Look to the Future." pp. H7643-4
8. POLLUTION. Rep. Rooney, Penn., stated "steps must be taken...to halt the contamination of our air and water" and urged support of his bill to allow a tax credit for pollution control facilities. pp. H7644-5
9. FOREIGN TRADE. Rep. Rarick stated a recent Commerce publication "advises that our imports from Communist countries totaled \$45.2 million for the fourth quarter of 1966, including food which is against the best interests of our farmers" and inserted portions of Commerce's report, "Export Control Report," on trade with Rhodesia. pp. H7649-52
10. BRAZIL. Rep. Goodell reported his findings on the conditions of Brazil during a 1966 tour, including its agricultural situation. pp. H7715-69
11. GRAIN. Received from this Department a proposed bill to revise and update the Grain Standards Act; to Agriculture Committee. p. H7774

SENATE

12. FARM PAYMENTS. Sen. Talmadge defended farm payment programs in the "interest of all producers, and a national interest in orderly production and marketing." pp. S8608-9
13. POVERTY. Sen. Nelson commended the Administration's increased emphasis on programs to combat rural poverty and inserted two OEO bulletins which "reflect the promising changes that are now underway in rural America." pp. S8616-22
14. FOOD. Sen. Bartlett urged this country and other developed countries to increase research programs to provide food for the future, especially to expand studies for gathering food from the sea. He also inserted two articles dealing

## NATIONAL WATER COMMISSION

---

JUNE 21, 1967.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

Mr. JOHNSON of California, from the Committee on Interior and Insular Affairs, submitted the following

### REPORT

together with

### ADDITIONAL VIEWS

[To accompany S. 20]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill do pass.

The amendments are as follows:

Page 1, line 8, through page 2, line 4, strike out all of subsection 2(b) and insert in lieu thereof the following:

(b) The Commission shall be composed of seven members who shall be appointed by the President and serve at his pleasure. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, or shall be a retired officer or employee of the United States who is currently drawing or is entitled to draw currently an annuity or retired pay.

Page 2, line 13, strike out "by law (5 U.S.C. 73b-2)" and insert "by 5 U.S.C., sec. 5703".

Page 2, line 17, strike out "President" and insert "Commission".

Page 2, lines 18 and 19, strike out "Federal Executive Salary Schedule." and insert "Executive Schedule (5 U.S.C., sec. 5315).".

Page 3, lines 18 to 21 inclusive, strike out "The Commission shall submit to the President such interim and final reports as it deems

appropriate, and the Council shall submit to the President its views on the Commission's reports." and insert:

The Commission shall submit simultaneously to the President and to the United States Congress such interim and final reports as it deems appropriate, and the Council shall submit simultaneously to the President and to the United States Congress its views on the Commission's reports.

Page 4, line 12, strike out "the Classification Act of 1949 as amended," and insert "5 U.S.C., ch. 51,".

Page 4, lines 17 and 18, strike out "grade 18 under the Classification Act of 1949 as amended;" and insert "grade GS-18 of the General Schedule contained in 5 U.S.C., sec. 5332(a);".

Page 4, lines 18 and 19, strike out "section 15 of the Act of August 2, 1946 (5 U.S.C. 55a)" and insert "5 U.S.C., sec. 3109".

Page 6, line 24, strike out "(5 U.S.C. 46e)" and insert "(5 U.S.C., sec. 5514)".

Page 7, line 8, strike out "such sums as are required" and insert "not to exceed \$5 million".

#### PURPOSE

The purpose of S. 20 is to provide for a comprehensive review of national water resource problems and programs. This mission is to be accomplished by the establishment of a seven-member National Water Commission. The life of the Commission is limited to five years.

#### BACKGROUND

The establishment of a National Water Commission was first recommended by the President on February 23, 1966, in his message entitled "Preserving our Natural Heritage". There was included in that message the following section:

In no area of resource management are the problems more complex—or more important—than those involving our Nation's water supplies. The water shortage in the Northeastern United States is a dramatic reminder that we must take every possible step to improve the management of our precious water resources.

I propose the establishment of a National Water Commission to review and advise on the entire range of water resource problems—from methods to conserve and augment existing water supplies to the application of modern technology, such as desalting, to provide more usable water for our cities, our industries, and our farms.

This Commission will be composed of the very best minds in the country. It will judge the quality of our present efforts. It will recommend long-range plans for the future. It will point the way to increased and more effective water resource measures by the Federal government, working in close cooperation with States, local communities, and private industry.

A draft of bill to carry out the President's recommendation for a National Water Commission was transmitted to the Congress on March 17, 1966. In the Senate, the legislation was introduced and considered as a separate measure, passing the Senate on June 9, 1966.



In the House, a number of separate bills were introduced and the proposal was also incorporated in the bill to authorize the Colorado River Basin project. That bill (H.R. 4671) was reported favorably by the Committee on August 11, 1966 but was not called up in the House. Thus, there was no final action on the establishment of a National Water Commission in the 89th Congress.

The President renewed his request for legislation to establish a National Water Commission in his budget message to the 90th Congress on January 24, 1967 and in his natural resources message to the Congress on January 30, 1967. In his budget message, the President said:

Many regions of the country are facing increasingly critical problems of adequate supply and efficient use of water. I urge prompt enactment of legislation to establish a National Water Commission to assess our major water problems and develop guidelines for the most effective use of available water resources.

In his natural resources message, the President said:

I am renewing my recommendation for the enactment of legislation to establish a National Water Commission. Working with the Water Resources Council and with Federal, State, and private agencies, the Commission will examine our major water problems and develop recommendations, guidelines, and long-range plans for the most effective use of available water resources.

S. 20 was considered by the Senate and passed on February 6, 1967. S. 20 and the companion bills in the House (H.R. 1416 (Ullman), H.R. 1458 (Wyatt), H.R. 2370 (Rodino), H.R. 2546 (Howard), H.R. 3298 (Foley), H.R. 4124 (May), H.R. 5308 (Blatnik), H.R. 5346 (Reinecke), and H.R. 6800 (Helstoski)) were considered by the Committee, along with the bills to authorize the Colorado River Basin project, in hearings on March 13-14 and 16-17, 1967.

#### NEED

An ample supply of good quality water is essential if the United States is to continue to grow and prosper. We must meet the ever-growing water needs of our increasing population and our expanding industry and agriculture. Greater attention must be given to conservation and more efficient use. Our overall national water supply is not distributed in a way to meet our most urgent requirements. In order to provide better distribution and meet the needs where they develop, we must give consideration to interbasin transfers and to the movement of water over long distances as well as to technological advances such as desalting, weather modification, and reuse of waste water. In all areas of our nation, even in areas with adequate quantities of water, there are serious problems because of floods and pollution. Thus, as the water requirements of this nation continue to increase rapidly and greater and greater demands are placed upon the available supply, water resource management problems are becoming more complex and a comprehensive review of national water resource problems and programs has become a matter of urgent need.

## COST

It has been estimated by the Administration that this Commission will require about \$5 million over its life. On the basis of this information, the Committee has amended S. 20 to place a ceiling of \$5 million on the amount authorized to be appropriated.

## COMPOSITION OF THE COMMISSION

The Commission will be composed of seven members from outside the Federal government appointed by the President. The statements of the President and testimony given by Federal officials make it clear that the President intends to appoint outstanding and dedicated persons with demonstrated ability and broad experience in the natural resources field. In the President's words, "This Commission will be composed of the very best minds in the country."

The Committee amended the language establishing the Commission in two respects. First, the language providing for Senate confirmation of the Committee members was deleted. In view of the mission given the Commission and the qualifications required of its members, it seemed to the Committee that a requirement for Senate confirmation is unnecessary and undesirable. Second, since it is apparently intended that the members of the Commission not have a Federal government viewpoint or background, the Committee adopted an amendment which prohibits the appointment of retired Federal officers and employees as members of the Commission. On this point, in his testimony before the Committee, Secretary Udall stated:

It [the Commission] is an outside government approach to the problem on the assumption, I think, that when you look at the big water problems that we face in the next 25 or 50 years, that it is wise from time to time not merely to have government agencies and government people make studies but to have distinguished outside people who, perhaps can detach themselves from the vested interests that government agencies have.

## MISSION

The task of the National Water Commission will be, in the words of the President, "to review and advise on the entire range of water resource problems—from methods to conserve and augment existing water supplies to the application of modern technology, such as desalting, to provide more usable water for our cities, our industries, and our farms."

The Commission will need to review present and anticipated national water resource problems and come to grips with fundamental policy questions relating to the use and management of the nation's water supply. Its specific duties will be—

(1) to make "such projections of water requirements as may be necessary [to identify] alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to, desalt-



ing, weather modification, and waste water purification and reuse”;

(2) to “consider economic and social consequences of water resources development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people”; and

(3) to “advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council”.

#### RELATIONSHIP TO OTHER AGENCIES

It is intended that the National Water Commission work closely with the Water Resources Council and the river basin commissions established pursuant to the Water Resources Planning Act and with Federal agencies and states. The National Water Commission will necessarily rely on existing Federal agencies in the water resources field and on the river basin commissions in carrying out any detailed studies and in making specific assessments of water problems and alternative solutions.

The Commission will not be in competition with the Water Resources Council but will advise the Council and complement its activities. This one-time study by the Commission, it is hoped, will provide a broad framework for seeking specific solutions to regional water problems and thus assist the Water Resources Council in its continuing concern with water resources policy and comprehensive water resources planning.

#### SECTION-BY-SECTION ANALYSIS

*Short Title.*—Section 1 provides that the Act may be cited as the “National Water Commission Act”.

*The National Water Commission.*—Section 2 relates to the establishment and composition of the National Water Commission as discussed hereinbefore. The Chairman of the Commission shall be designated by the President from among its members. Each member will receive \$100 per day plus travel expenses. Members will be compensated only for those days actually spent on Commission business.

An Executive Director of the Commission will be appointed by the Chairman with the approval of the Commission. He will have such duties and responsibilities as the Chairman may assign. The requirement for approval by the Commission rather than the President is the result of a Committee amendment.

*Duties of the Commission.*—Subsection (a) of Section 3 sets out the duties of the Commission which have been quoted earlier in this report. Subsection (b) requires the Commission to consult with the Water Resources Council regarding its studies and to furnish its proposed reports and recommendations to the Council for its review and comment. The Commission must submit simultaneously to the President and to the Congress such interim and final reports as it deems appropriate, and the Council must likewise submit simultaneously to the President and the Congress its views on the Commission’s reports. The requirement for the “simultaneous” submission to the President and the Congress of these reports is the result of a Committee amendment. The Committee felt that this amendment



was necessary in order that the congress and its Committees may be kept up to date on the Commission's work and activities. The Commission's final report must be transmitted to the Congress by the President together with his comments and recommendations.

Subsection (c) of Section 3 provides that the Commission will terminate not later than five years from the effective date of the Act.

*Powers of the Commission.*—Section 4 relates to the powers of the Commission. The Commission is authorized to hire a staff and consultants, acquire office space and motor vehicles, and use the United States mails in the same manner as other Federal agencies. It is authorized to contract for studies and surveys with public and private organizations and transfer funds to Federal agencies and river basin commissions to carry out any aspects of its functions. The Commission may hold hearings and receive evidence as it may deem advisable and appropriate in carrying out its duties and responsibilities.

*Powers and Duties of the Chairman.*—Section 5 deals with the powers and duties of the Chairman of the Commission. He will exercise the executive and administrative powers of the Commission and delegate such authority as he deems appropriate to the Executive Director or other personnel of the Commission.

*Other Federal Agencies.*—Section 6 concerns the relationship between the National Water Commission and other Federal agencies. The Commission will not compete with Federal water resource agencies. Instead, it will, to the extent practicable, rely upon existing Federal agencies in the water resource field and upon river basin commissions created pursuant to the Water Resources Planning Act in carrying out any detailed studies and in making specific assessments of water problems.

The Commission is authorized to utilize the services of Federal water resource agencies. Upon request of the Commission, the head of any Federal department or agency, or any River Basin Commission, is authorized to furnish to the Commission any information that may be necessary or helpful to the Commission in carrying out its responsibilities. They may also detail to temporary duty with the Commission, on a reimbursable basis, personnel which it may need in connection with its work.

The General Services Administration will provide the financial and administrative services which the Commission may require. This will be accomplished by the transfer of funds.

*Appropriations.*—Section 7 authorizes the appropriation of \$5 million to carry out the purposes of this legislation.

#### COMMITTEE'S CONCLUSIONS AND RECOMMENDATION

The job of the National Water Commission will be a difficult one. If the Commission is to be successful in accomplishing its mission, its recommendations must be susceptible of fulfillment. This means that the Commission cannot approach the difficult problems involved in its mission without considering the views of all parties and interests involved. It must therefore work very closely not only with Federal Departments and agencies having responsibilities in the water field but also the States and public and private groups which will be affected by its studies and recommendations. The Commission must foster

full discussion of the complicated and controversial water issues of this nation and attempt, through negotiations and understanding, to forge a consensus.

While the objective of this review of national water resource problems and programs is to improve water management and provide for maximum and best use of our water resources in the future and to assist in the formulation of consistent and effective national policies, it is not intended that the planning of urgently needed water resources development projects, or recommendations of the Executive agencies concerning such projects, be delayed while the work of the Commission is underway. Neither is it intended that the Commission take a position on specific project proposals.

The Committee on Interior and Insular Affairs in the House of Representatives recommends that S. 20, as amended, be enacted.

#### EXECUTIVE COMMUNICATIONS

The Executive Communication of March 17, 1966, from the Bureau of the Budget recommending this legislation in the 89th Congress is set out hereinafter. In the 90th Congress, the Administration's support of this legislation has been reaffirmed in the two Presidential messages referred to earlier in this report and in the report of the Department of the Interior on H.R. 3300, a bill to authorize the Colorado River Basin Project.

#### EXECUTIVE OFFICE OF THE PRESIDENT,

#### BUREAU OF THE BUDGET,

*Washington, D.C., March 17, 1966.*

HON. JOHN W. McCORMACK,  
*Speaker of the House of Representatives,*  
*Washington, D.C.*

DEAR MR. SPEAKER: In his February 23, 1966, message to Congress on preserving our natural heritage, the President recommended the establishment of a National Water Commission. I am transmitting herewith draft legislation to carry out this recommendation. I urge that it be given early and favorable consideration.

A bountiful supply of clean water is essential to our health, to our industry, to our farms and to the well-being of all Americans. It sustains our prosperity and stimulates our growth. This is a basic truth that the President has emphasized many times before. It is a truth that the administration shall continue to emphasize.

Yet, we are confronted with critical water shortages in many sections of our country. We are faced with the grim fact that pollution infests virtually every river system. No region is immune—from the Pacific, to the Southwest, to the Great Lakes, to the Northeast. These problems grow more complex and more difficult with each passing day.

Water resource problems do not end at local, county, State or even regional lines. Their dimensions are truly national in scope. They require intelligent long-term planning and the assessment and development of a whole range of alternative solutions. They require thorough and systematic analysis to assure that the programs undertaken by the Federal Government contribute to the soundest long-range water objectives.



The National Water Commission bill proposed today provides a new way to meet these urgent needs. It will do more than give us a vital instrument in our search for imaginative ideas. It will help us develop the blueprints for our long-range water resource plans and goals. It will help us assure that the dollars we spend are wisely spent. In the words of the President, the Commission will "review and advise on the entire range of water resource problems. \* \* \* It will judge the quality of our present efforts. It will recommend long-range plans for the future. It will point the way to increased and more effective water resource measures by the Federal Government, working in close cooperation with States, local communities, and private industry."

Bringing the Commission into being is an important step that should be taken without delay.

The Commission would consist of seven members appointed by the President from distinguished Americans outside the Federal Government. These members would advise the President and the Water Resources Council. In carrying out its responsibilities the Commission would—

- (1) Identify alternative ways of meeting water requirements, making such projections of water demand as may be necessary and giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers and technological advances such as desalting and waste water purification and reuse.

- (2) Consider the economic and social consequences of water resource development, including the impact of water resource development on regional economic growth, on institutional arrangements and on aesthetic values affecting the quality of life of the American people.

The National Water Commission would be aided by existing Federal agencies in the water resource field and by river basin commissions created pursuant to Title II of the Water Resources Planning Act.

It would also—

- Work closely with the Water Resources Council, complementing its activities.

- Cooperate with State and local agencies concerned with water resource development, seeking their advice and assistance.

- Utilize panels of specialists to assist it in its studies of particular problems.

The creation of the National Water Commission will bring the very best minds and the most creative talents in the Nation to bear on our water problems. We need this help if we are to reduce progressively the pollution of our waters and to insure a plentiful supply of water for our commerce, for our daily lives and the lives of our children.

We recommend early enactment of the legislation.

Sincerely,

CHARLES L. SCHULTZE,  
*Director.*

(Enclosure.)



AN ACT To provide for a comprehensive review of national water resource problems and programs, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "National Water Commission Act".

#### THE NATIONAL WATER COMMISSION

SEC. 2. (a) There is established the National Water Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members, who shall be appointed by the President. Members shall serve at the pleasure of the President. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(c) The President shall designate a Chairman of the Commission (hereinafter referred to as the "Chairman") from among its members.

(d) Members of the Commission may each be compensated at the rate of \$100 for each day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

(e) The Commission shall have an Executive Director, who shall be appointed by the Chairman with the approval of the President and shall be compensated at the rate provided by law for level IV of the Federal Executive Salary Schedule. The Executive Director shall have such duties and responsibilities as the Chairman may assign.

#### DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances such as desalting and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on aesthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

(b) The Commission shall consult with the Water Resources Council regarding its studies and shall furnish its proposed reports and recommendations to the Council for review and comment. The Commission shall submit to the President such interim and final reports as it deems appropriate, and the Council shall submit to the President its views on the Commission's reports. The President shall transmit the Commission's final report to the Congress together with such comments and recommendations for legislation as he deems appropriate.

(c) The Commission shall terminate not later than five years from the effective date of this Act.

#### POWERS OF THE COMMISSION

SEC. 4. (a) The Commission may (1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and the Classification Act of 1949, as amended: *Provided*, That not to exceed five persons may be employed and their compensation fixed at salaries not in excess of GS-18, without regard to such laws; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; (7) enter into contracts or agreements for studies and surveys with public and private organizations and transfer funds to Federal agencies and river basin commissions created pursuant to title II of the Water Resources Planning Act to carry out such aspects of the Commission's functions as the Commission determines can best be carried out in that manner; and (8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this title.

(b) Any member of the Commission is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

#### POWERS AND DUTIES OF THE CHAIRMAN

SEC. 5. (a) Subject to general policies adopted by the Commission, the Chairman shall be the Chief Executive of the Commission and shall exercise its executive and administrative powers as set forth in Section 4(a)(2) through Section 4(a)(8).

(b) The Chairman may make such provision as he shall deem appropriate authorizing the performance of any of his executive and administrative functions by the Executive Director or other personnel of the Commission.

#### OTHER FEDERAL AGENCIES

SEC. 6. (a) The Commission shall, to the extent practicable, utilize the services of the Federal water resource agencies.

(b) Upon request of the Commission, the head of any Federal department or agency or river basin commission created pursuant to Title II of the Water Resources Planning Act is authorized (1) to furnish to the Commission, to the extent permitted by law and within the limits of available funds, including funds transferred for that purpose pursuant to Section 4(a)(7) of this Act, such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with this Commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or

believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(c) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided*, That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further*, That the Commission shall not be required to prescribe such regulations.

#### APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this act.



## ADDITIONAL VIEWS OF REPRESENTATIVE ED REINECKE

The establishment of this water commission may well be the vehicle that brings order out of political and financial chaos. Certainly no subject has attracted more attention in recent months than our water supply. But in the process it can be shown that there is little agreement regarding objectives, availability of presently developed resources, proposed requirements for the future, pricing, conservation, what is "highest economic usage" and a host of other very real parameters in the water problem.

When I introduced H.R. 9895 in 1965, the term "interbasin transfer" was intentionally omitted with the firm hope in mind that this commission would not become another political football field. When making a national inventory of assets and requirements, the subject of interbasin transfer becomes immediately an obvious method for balancing the supply and demand. However, to lose the real intent of the commission in a cloud of regional politics would indeed be a deep disappointment and loss of effectiveness.

The real intent of the original bill was to focus attention on the supply problem without being first committed to the classical dams, aqueducts, pumping station approaches. I firmly believe that proper management techniques including "true value pricing", conservation in agriculture, conservation by industry and conservation in domestic uses, together with reutilization of the water that has already been developed may well solve many immediate shortage problems, and may likewise eliminate the necessity of millions of dollars in construction.

Our reasoning on the necessity of new water development is frequently associated with growing population; yet, in most states, irrigation accounts for more than 90% of the usage of water. An effective irrigation conservation program (proven practical) could easily double or triple the water supply available to our cities, while saving money for the irrigation in direct costs, and to the taxpayer in general by reduced or delayed spending on major projects. Other "resources" that must be evaluated are desalination, weather modification and anti-evaporation measures. The latter constitutes the greatest single loss to our present water system, and as an example we may well find ourselves faced with spending \$2 or \$3 billion to supplement the Colorado River with an amount equal to that lost by evaporation and seepage, yet no serious efforts have been made to find means for reducing this tremendous loss.

The bill says very simply, let's define and evaluate the problem before deciding the answer. I heartily support this bill and urge my colleagues to do likewise.

ED REINECKE.

# Union Calendar No. 159

90TH CONGRESS  
1ST SESSION

## S. 20

[Report No. 376]

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### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 1967

Referred to the Committee on Interior and Insular Affairs

JUNE 21, 1967

Reported with amendments, committed to the Committee of the Whole House  
on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

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## AN ACT

To provide for a comprehensive review of national water resource  
problems and programs, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "National Water Com-  
4       mission Act".

5                   THE NATIONAL WATER COMMISSION

6       SEC. 2. (a) There is established the National Water  
7       Commission (hereinafter referred to as the "Commission").

8       ~~(b) The Commission shall be composed of seven mem-~~  
9       ~~bers, who shall be appointed by the President, by and with~~  
10      ~~the advice and consent of the Senate. Members shall serve~~  
11      ~~at the pleasure of the President. No member of the Com-~~

1 mission shall, during his period of service on the Commission,  
2 hold any other position as an officer or employee of the  
3 United States, except as a retired officer or retired civilian  
4 employee of the United States.

5       (b) *The Commission shall be composed of seven mem-*  
6 *bers who shall be appointed by the President and serve at his*  
7 *pleasure. No member of the Commission shall, during his*  
8 *period of service on the Commission, hold any other position*  
9 *as an officer or employee of the United States, or shall be a*  
10 *retired officer or employee of the United States who is cur-*  
11 *rently drawing or is entitled to draw currently an annuity*  
12 *or retired pay.*

13       (c) The President shall designate a Chairman of the  
14 Commission (hereinafter referred to as the "Chairman")  
15 from among its members.

16       (d) Members of the Commission may each be compen-  
17 sated at the rate of \$100 for each day such member is  
18 engaged in the actual performance of duties vested in the  
19 Commission. Each member shall be reimbursed for travel  
20 expenses, including per diem in lieu of subsistence, as au-  
21 thorized by law ~~(5 U.S.C. 73b-2)~~ by 5 U.S.C., sec. 5703  
22 for persons in the Government service employed intermit-  
23 tently.

24       (e) The Commission shall have an Executive Director,  
25 who shall be appointed by the Chairman with the approval



of the ~~President~~ *Commission* and shall be compensated at the rate provided by law for level IV of the ~~Federal Executive Salary Schedule~~. *Executive Schedule (5 U.S.C., sec. 5315)*. The Executive Director shall have such duties and responsibilities as the Chairman may assign.

#### DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to, desalting, weather modification, and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

(b) The Commission shall consult with the Water Re-

1 sources Council regarding its studies and shall furnish its  
2 proposed reports and recommendations to the Council for  
3 review and comment. The Commission shall submit to the  
4 President such interim and final reports as it deems appro-  
5 priate; and the Council shall submit to the President its  
6 views on the Commission's reports. *The Commission shall*  
7 *submit simultaneously to the President and to the United*  
8 *States Congress such interim and final reports as it deems*  
9 *appropriate, and the Council shall submit simultaneously to*  
10 *the President and to the United States Congress its views*  
11 *on the Commission's reports.* The President shall transmit  
12 the Commission's final report to the Congress together with  
13 such comments and recommendations for legislation as he  
14 deems appropriate.

15 (c) The Commission shall terminate not later than five  
16 years from the effective date of this Act.

17 POWERS OF THE COMMISSION

18 SEC. 4. (a) The Commission may (1) hold such hear-  
19 ings, sit and act at such times and places, take such testi-  
20 mony, and receive such evidence as it may deem advisable;  
21 (2) acquire, furnish, and equip such office space as is neces-  
22 sary; (3) use the United States mails in the same manner  
23 and upon the same conditions as other departments and  
24 agencies of the United States; (4) without regard to the  
25 civil service laws and regulations and without regard to

1 the Classification Act of 1949 as amended, 5 U.S.C., ch.  
2 51, employ and fix the compensation of such personnel as  
3 may be necessary to carry out the functions of the Commis-  
4 sion: *Provided*, That of such personnel no more than five  
5 persons may receive compensation equivalent to the com-  
6 pensation established for grade 18 under the Classification  
7 Act of 1949 as amended, grade GS-18 of the General Sched-  
8 ule contained in 5 U.S.C., sec. 5332(a); (5) procure serv-  
9 ices as authorized by section 15 of the Act of August 2, 1946  
10 ~~(5 U.S.C. 55a)~~ 5 U.S.C., sec. 3109 at rates not to exceed  
11 \$100 per diem for individuals; (6) purchase, hire, operate,  
12 and maintain passenger motor vehicles; (7) enter into  
13 contracts or agreements for studies and surveys with public  
14 and private organizations and transfer funds to Federal  
15 agencies and river basin commissions created pursuant to  
16 title II of the Water Resources Planning Act to carry out  
17 such aspects of the Commission's functions as the Commis-  
18 sion determines can best be carried out in that manner; and  
19 (8) incur such necessary expenses and exercise such other  
20 powers as are consistent with and reasonably required to  
21 perform its functions under this title.

22 (b) Any member of the Commission is authorized to  
23 administer oaths when it is determined by a majority of  
24 the Commission that testimony shall be taken or evidence  
25 received under oath.



## 1                    POWERS AND DUTIES OF THE CHAIRMAN

2            SEC. 5. (a) Subject to general policies adopted by the  
3 Commission, the Chairman shall be the chief executive of  
4 the Commission and shall exercise its executive and admin-  
5 istrative powers as set forth in section 4 (a) (2) through  
6 section 4 (a) (8).

7            (b) The Chairman may make such provision as he shall  
8 deem appropriate authorizing the performance of any of his  
9 executive and administrative functions by the Executive  
10 Director or other personnel of the Commission.

## 11                    OTHER FEDERAL AGENCIES

12          SEC. 6. (a) The Commission may, to the extent prac-  
13 ticable, utilize the services of the Federal water resource  
14 agencies.

15          (b) Upon request of the Commission, the head of any  
16 Federal department or agency or river basin commission  
17 created pursuant to title II of the Water Resources Planning  
18 Act is authorized (1) to furnish to the Commission, to the  
19 extent permitted by law and within the limits of available  
20 funds, including funds transferred for that purpose pursuant  
21 to section 4 (a) (7) of this Act, such information as may  
22 be necessary for carrying out its functions and as may be  
23 available to or procurable by such department or agency, and

1 (2) to detail to temporary duty with this Commission on  
2 a reimbursable basis such personnel within his administra-  
3 tive jurisdiction as it may need or believe to be useful for  
4 carrying out its functions, each such detail to be without loss  
5 of seniority, pay, or other employee status.

6 (c) Financial and administrative services (including  
7 those related to budgeting, accounting, financial reporting,  
8 personnel, and procurement) shall be provided the Com-  
9 mission by the General Services Administration, for which  
10 payment shall be made in advance, or by reimbursement  
11 from funds of the Commission in such amounts as may be  
12 agreed upon by the Chairman of the Commission and the  
13 Administrator of General Services: *Provided*, That the reg-  
14 ulations of the General Services Administration for the collec-  
15 tion of indebtedness of personnel resulting from erroneous  
16 payments ~~(5 U.S.C. 46e)~~ (5 U.S.C., sec. 5514) shall ap-  
17 ply to the collection of erroneous payments made to or on  
18 behalf of a Commission employee, and regulations of said  
19 Administrator for the administrative control of funds (31  
20 U.S.C. 665 (g) ) shall apply to appropriations of the Com-  
21 mission: *And provided further*, That the Commission shall  
22 not be required to prescribe such regulations.

1

APPROPRIATIONS

2

SEC. 7. There are hereby authorized to be appropriated

3

~~such sums as are required~~ *not to exceed \$5,000,000* to carry

4

out the purposes of this Act.

Passed the Senate February 6, 1967.

Attest:

FRANCIS R. VALEO,

*Secretary.*

90TH CONGRESS  
1ST SESSION

S. 20

[Report No. 376]

AN ACT

To provide for a comprehensive review of national water resource problems and programs, and for other purposes.

FEBRUARY 7, 1967

Referred to the Committee on Interior and Insular Affairs

JUNE 21, 1967

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed







# ***DIGEST*** of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued June 29, 1967  
For actions of June 28, 1967  
50th-1st; No. 103

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**HIGHLIGHTS:** Senate Appropriations subcommittee approved agricultural appropriation bill. Senate passed bills to authorize transfer of tobacco allotments. Senate passed bill to extend salary and leave benefits for employees of ASC committees. Rep. Schwengel introduced and discussed bill to extend and improve watershed program.

## HOUSE

1. **WATER RESOURCES.** The Rules Committee reported a resolution for the consideration of S. 20, to provide for a comprehensive review of national water resource problems and programs. p. H8280
2. **RESEARCH.** Passed S. 1296, the NASA appropriation authorization bill which includes research on control of weather, forest fires, pollution, pests, etc., with an amendment to substitute the language of a similar bill, H. R. 10340 which was tabled. Conferees were appointed. pp. H8150-200



3. APPROPRIATIONS. Agreed to the conference report on H. R. 7501, the Treasury, Post Office and Executive Office appropriation bill. pp. H8202-3
4. INFORMATION. A subcommittee of the Judiciary Committee approved for full committee action S. J. Res. 10, to establish the Golden Spike Centennial Celebration Commission. p. D549  
Rep. Dole inserted Rep. Rumsfeld's speech commending the "Freedom of Information law" which will become effective July 4, 1967. pp. H8231-3
5. RURAL AMERICA. Rep. Resnick discussed the subcommittee hearings on rural America and the activities of the Farm Bureau which he stated has "been using the American farmer to build its insurance, mutual fund, and other businesses." pp. H8150, H8277-9
6. ELECTRIFICATION. Rep. Saylor urged preparation for future power failures. p. H8215  
Rep. Clark expressed his intention to oppose an expected proposal for additional appropriations for the Dickey-Lincoln School Federal hydroelectric project in Maine. p. H8265
7. ECONOMY. Rep. Curtis inserted a survey by S. Jay Levy "of the expected performance of the economy during the latter half of 1967." pp. H8226-7
8. CONGRESSIONAL REORGANIZATION. Rep. Curtis inserted an editorial, "To Help Congress Work," and urged "some form of reorganization legislation." p. H8230
9. OPINION POLL. Reps. Schwengel and Biester inserted the results of questionnaires including items of interest to this Department. pp. H8230-1, H8233-4
10. ROADS. Rep. Fallon commended the report of a special committee of the American Association of State Highway Officials on the planning of a continuing Federal-aid highway program and inserted a tabulation of a recommended program which includes rural primary and secondary roads. pp. H8244-5
11. MEAT INSPECTION. Rep. Smith, Iowa, inserted Deputy Assistant Secretary Leonard's testimony on H. R. 6168, the meat inspection amendment bill. pp. H8250-2
12. FLOOD INSURANCE. Rep. Pepper spoke in support of his flood insurance bill and inserted his testimony before the subcommittee. pp. H8259-60
13. FOREIGN AID. Rep. Gonzalez stated "U. S. foreign aid loans are being repaid," and inserted two tables showing "repayments of AID-administered loans--1948--March 31, 1967." p. H8263  
Rep. Baring criticized the report that "we are going to continue to fulfill our foreign aid 'obligations' to the Arab nations which broke off diplomatic relations with us." p. H8274  
Rep. Farbstein announced that the Subcommittee on Foreign Economic policy "will shortly begin a series of hearings on the involvement by means of trade and investment of American private enterprise in developing countries." pp. H8274-5
14. POVERTY. Rep. Tiernan inserted an article, "OEO's Future at Stake." p. H8268

## CONSIDERATION OF S. 20

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JUNE 28, 1967.—Referred to the House Calendar and ordered to be printed

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Mr. SISK, from the Committee on Rules, submitted the following

### REPORT

[To accompany H. Res. 678]

The Committee on Rules, having had under consideration House Resolution 678, report the same to the House with the recommendation that the resolution do pass.

○





## House Calendar No. 80

90TH CONGRESS  
1ST SESSION

# H. RES. 678

[Report No. 461]

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 1967

Mr. SISK, from the Committee on Rules, reported the following resolution;  
which was referred to the House Calendar and ordered to be printed

---

## RESOLUTION

1     *Resolved*, That upon the adoption of this resolution it  
2 shall be in order to move that the House resolve itself into  
3 the Committee of the Whole House on the State of the Union  
4 for the consideration of the bill (S. 20) to provide for a  
5 comprehensive review of national water resource problems  
6 and programs, and for other purposes. After general debate,  
7 which shall be confined to the bill and shall continue not to  
8 exceed one hour, to be equally divided and controlled by  
9 the chairman and ranking minority member of the Committee  
10 on Interior and Insular Affairs, the bill shall be read for  
11 amendment under the five-minute rule. At the conclusion  
12 of the consideration of the bill for amendment, the Com-

1 mittee shall rise and report the bill to the House with such  
2 amendments as may have been adopted, and the previous  
3 question shall be considered as ordered on the bill and amend-  
4 ments thereto to final passage without intervening motion  
5 except one motion to recommit.

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**RESOLUTION**

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Providing for consideration of S. 20, a bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes.

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By Mr. Sisk

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JUNE 28, 1967

Referred to the House Calendar and ordered to be printed

## House Calendar No. 80

90TH CONGRESS  
1ST SESSION

# H. RES. 678

[Report No. 461]

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House Calendar No. 80

90TH CONGRESS  
1ST SESSION

**H. RES. 678**

[Report No. 461]

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## RESOLUTION

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Providing for consideration of S. 20, a bill to provide for a comprehensive review of national water, resource problems and programs, and for other purposes.

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By Mr. SISK

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JUNE 28, 1967

Referred to the House Calendar and ordered to be printed







# **DIGEST** of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
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POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
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Issued July 13, 1967  
For actions of July 12, 1967  
90th-1st; No. 107

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HIGHLIGHT: Senate began consideration of agricultural appropriation bill.

### HOUSE

1. WATER. Passed with amendments S. 20, to provide for a comprehensive review of national water resource problems and programs, by the establishment of a seven-member National Water Commission, the life of the Commission being limited to five years. pp. H8533-60
2. APPROPRIATIONS. The Appropriations Committee was granted until midnight Thurs., July 13, to file a report on the Transportation Dept. appropriation bill. p. H8531

3. FARM BUREAU. The "Daily Digest" states that the Agriculture Committee in executive session adopted a resolution "That the Committee on Agriculture of the U. S. House of Representatives does in no manner endorse, condone, or support the personal attack launched by the chairman of the Subcommittee on Rural Development upon the American Farm Bureau Federation" (p. D575), and Reps. Resnick and O'Hara criticized this action (p. H8531).
4. HOUSING. Rep. Cramer inserted his letter to HUD Secretary Weaver criticizing that section of the Demonstration Cities Act requiring that "all applications after June 30, 1967, for many types of Federal loan and grant programs, be reviewed by an areawide agency designated to perform metropolitan or regional planning in each standard metropolitan statistical area," and Secretary Weaver's reply advising that HUD had "suspended on July 1 its administration of the provisions" of that section "until the matter is resolved between the House and Senate." pp. H8581-2
5. PRICE STABILITY. Rep. Albert commended the administration's "job of fostering price stability" and inserted an article stating that the U. S. dollar "suffered the lowest average rate of depreciation of any currency of the major industrial nations over the ten-year span." pp. H8595-6
6. FLOOD INSURANCE. Rep. St Germain spoke in support of the bill to provide a program for national flood insurance. p. H8598
7. POVERTY. Rep. Howard commended and inserted two articles by Rep. Patten expressing support of the poverty program. pp. H8600-1
8. HOLIDAY. Rep. Fulton, Tenn., spoke in support of his "uniform Monday holiday bill." p. H8609
9. NATIONAL PARKS. Rep. Burton, Calif., spoke in support of his bill to increase the size of the Sequoia National Park in the Sierra Nevada. pp. H8609-10

#### SENATE

10. AGRICULTURAL APPROPRIATIONS. Began consideration of H. R. 10509, the Agricultural appropriations bill and adopted all committee amendments en bloc for the purpose of further amendment. pp. S9522-8  
Sen. Williams, Del., submitted an amendment to H. R. 10509, the agricultural appropriations bill, that would limit price support payments to any producer to \$10,000 in any 1 year; and Sen. Proxmire submitted an amendment to this bill relating to the CCC. p. S9438
11. RESEARCH. Sen. Fulbright criticized the sponsorship of research in the social and physical sciences by the Defense Department in foreign countries, and inserted several articles on this subject. pp. S9440-3
12. FOOD IRRADIATION. Sen. Curtis discussed the work in developing methods of preserving food by ionizing radiation, and urged better coordination between the various agencies working on this project. p. S9451
13. FOREIGN AID. Sen. McGovern commended a corn-growing project in Thailand which, "brings private capital into the war on hunger, as must be done increasingly," and inserted several articles on this subject. pp. S9451-2



By responding to the request of the Central Government of the Congo in a very limited way, I believe the President has helped to moderate and to calm the situation, has maintained the excellent relationship which we have with the Central Congolese Government, and has helped to maintain a strong and durable relationship with the rest of Africa.

I know some Members fear this limited assistance to the Central Congolese Government may possibly be the beginning of another major involvement of the United States in a war similar to Vietnam. I believe a close examination of the realities of that situation would suggest that there is no such risk.

#### PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### NATIONAL WATER COMMISSION

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 678 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 678

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from California [Mr. SISK] is recognized for 1 hour.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. LATTI], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 678 provides an open rule with 1 hour of general debate for consideration of S. 20 to provide for a comprehensive review of national water resource problems and programs, and for other purposes.

An ample supply of good quality water is essential to the continuation of growth and prosperity in the United States. The

ever-growing water needs of our increasing population and our expanding industry and agriculture must be met. Greater attention must be given to conservation and more efficient use. Our overall national water supply is not distributed in a way to meet our most urgent requirements. In order to provide better distribution and meet the needs where they develop, we must give consideration to interbasin transfers and to the movement of water over long distances as well as to technological advances such as desalting, weather modification, and reuse of waste water. In all areas of our Nation, even in areas with adequate quantities of water, there are serious problems because of floods and pollution. Thus, as the water requirements of this Nation continue to increase rapidly and greater and greater demands are placed upon the available supply, water resource management problems are becoming more complex and a comprehensive review of national water resource problems and programs has become a matter of urgent need.

S. 20 would establish a seven-member National Water Commission to review national water resource problems and programs. The life of the Commission is limited to 5 years and the amount authorized to be appropriated is limited to \$5 million.

Mr. Speaker, I urge the adoption of House Resolution 678 in order that S. 20 may be considered.

Mr. LATTI. Mr. Speaker, I agree with the statement just made by my colleague, the gentleman from California [Mr. SISK]. I hasten to point out that this bill provides for an authorization of some \$5 million—\$5 million—for 5 years to be put at the disposal of these seven members of this Water Commission. This is almost \$1 million a member to be spent over a 5-year period. This is quite costly in view of the fact that we are trying to cut down on Government expenditures. If we are ever going to cut down, I think we had better start now. I hope when the committee gets to considering this legislation, it will give a little thought to the taxpayers and this requested \$5 million to be spent in 5 years by the seven members of this Commission.

I also wish to point out, Mr. Speaker, that these seven members will be appointed without the confirmation of the Senate. I am glad to see that they will all come from outside the Federal Government. I hope the President sees fit to appoint qualified individuals to this Commission if it is created and will not load it with political has-beens.

Mr. Speaker, I have no further requests for time and reserve the balance of my time.

MR. DEWITT WALLACE WRITES READER'S DIGEST ARTICLE

Mr. SISK. Mr. Speaker, I yield myself 10 minutes.

(Mr. SISK asked and was given permission to speak out of order.)

Mr. SISK. Mr. Speaker, I want to take this opportunity to call to the attention of the Members that Mr. DeWitt Wallace, the pipsqueak of Pleasantville, has once again attacked the integrity and good faith of the Congress of the United States, every Member of this House, the

President of the United States, and the entire executive arm of the Government.

In the June issue of his personal propaganda sheet, the Reader's Digest, appears an article entitled "MIKE KIRWAN'S Big Ditch." Not content with his advertised circulation of 28 million copies, distributed worldwide in 14 languages, this publisher offers reprints at his usual price of 10 for 50 cents. Mr. Wallace must be the world's most brazen propagandist in asking deluded readers to buy and pay for his lies. I regret to say that some of them must fall for it, because I have received reprints of this article from three of my 500,000 constituents, and I have no doubt that it has been sent to other Members.

Mr. Speaker, I am reminded, in thinking of this publication and of its publisher, of a statement by a great Californian many years ago, a great California Republican Senator by the name of Hiram Johnson, who finally broke the stranglehold of the railroad monopolies on the great State of California. In his fight with a California newspaper and the publisher of that newspaper at that time one will recall reading during the course of the fight that went on, he stated that the publisher of that newspaper reminded him of "a dead mackerel lying on a beach in the moonlight that both stinks and shines, and shines and stinks."

And, Mr. Speaker, insofar as I am concerned Mr. Wallace and his Reader's Digest fall well within that category.

The principal attack in this article is, as the title indicates, directed against our colleague, MIKE KIRWAN of Ohio, but we Members are accused of closing our eyes, indulging in "political back scratching and log rolling, and pork barrel politics," as a regular part of the discharge of our congressional duties. We are accused of supporting "an indefensible boondoggle" and the "most brazen pork barrel project ever foisted on American taxpayers," in trade or exchange for public works projects in our own districts, and so far as we Democrats are concerned, in order to obtain political campaign contributions from the Democratic Congressional Campaign Committee. We are pictured as supine, begging, gutless, robbers of the taxpayers, being led around by the nose.

I do not know how you feel about these charges mouthed in this article and in other articles through the years by the robber baron of Pleasantville, charging waste, extravagance, stupidity, and political connivance by the Congress and the National Government, but I resent it, and am perfectly willing to have these remarks reprinted for the convenience of Mr. Wallace and distributed free of charge.

I think it is particularly ill becoming for this self-proclaimed guardian of political morals to attack the integrity of others, in view of the fact that his representatives are currently buttonholing the Members and working frantically in the lobbies and your offices, to try to retain for him the mail subsidies and special privileges, and tens of millions of dollars in taxpayers money, which is the sole source of the tremendous wealth with which he has constructed a worldwide web, while he sits in the center, as some spider, clutching his money bags and



ascribing the world's ills and the world's problems to our stupidity and avarice.

The Baron of Pleasantville publishes his Reader's Digest in English and in 13 other languages, and boasts of its international editions. He not only therefore, is portraying the Members of this House as grasping, unprincipled, morons to the American people, but is projecting throughout the world an image of the American Government and its officials, which seems almost deliberately calculated to enhance the image of America as the "Ugly American," and to lend force and effect to the Communist line that Americans and their Government are bloated, unscrupulous capitalists with a corrupt Government. It is, in my opinion, a shame and disgrace that this man has been permitted by our society to subvert a potentially valuable and useful publication into an instrument for the sole propagation of his own, peculiar political philosophy.

I am sure the Members will recall that in its beginning, some 46 years ago, this publication purported to gather together and digest leading articles on a variety of subjects of public interest and to make this great body of American opinion and public information available in a convenient and readable form. In this spirit, and because of its obvious advantages, the Reader's Digest almost immediately gained public acceptance and became a supplementary textbook and authority in our schools and colleges, as well as in our homes. But not content with this acceptance, Wallace almost immediately departed from the format and plan of publication outlined, obviously because he could not find in the body of responsible American publications articles which were slanted to his own narrow political views. However, he found a way around this difficulty, which he succeeded for years in hiding from his readers. Mr. Wallace started commissioning articles of his own choosing and slanted to his views. He then secured their publication in other magazines, from which he lifted them for republication in the Reader's Digest. Even this obvious device to maintain apparent respectability apparently did not satisfy Mr. Wallace's desire to use for his own ends the tremendous political power generated through wide readership of his publication, for we now find he has abandoned the pretense of republication of articles of significance, and in the June issue I am discussing, nine articles are the product of his own staff, with no pretense that other publications would use them.

Meanwhile, what has Mr. Wallace received from the American taxpayer and what is he currently seeking to continue? There has come into my hands the results of a current study by the Post Office Department of the costs of handling second-class mail, including newspapers and periodicals. Apparently because of the very large volume and mail circulation of the Reader's Digest, this magazine was particularly studied. The revenue to the Post Office Department averages approximately 2.5 cents per magazine. In 1966, the costs of mail delivery averaged 7.3 cents per magazine, which means that the taxpayers are footing

the bill to the extent of 4.8 cents for each mail subscription handled. As approximately 12 million copies of Reader's Digest are distributed by mail each month, the net annual cost to the taxpayers is approximately \$9 million per year, flowing as a subsidy into the already bulging pockets of Mr. Wallace. It is my information that this net sum exceeds the entire profit realized from the operation of the magazine, and as a consequence, all of the realized profits actually represent a tax subsidy, and each subscriber of the Reader's Digest who receives his copy by mail, should be informed that in addition to his subscription price, the taxpayers of the United States have paid approximately 5 cents to bring the Reader's Digest to him, and that this amount has been paid directly to Mr. Wallace.

When this country was founded, upon the recommendation of Benjamin Franklin, its first Postmaster General, the Founding Fathers wisely fixed the cost of mailing books, publications, newspapers, and educational material at the lowest possible rate. Our country had a scattered population, with poor means of communication, and this was a wise and farsighted policy to insure the dissemination of knowledge and the education of the people, which is the very foundation of the democratic system, but I think Benjamin Franklin, a reputable and responsible publisher, would turn in his grave today if he knew that his wise policy had been subverted for the propagation of unadulterated propaganda at the expense of taxpayers.

MIKE KIRWAN needs no defense. He has demonstrated through the years he has sat in this House an ability to take care of himself and to serve his constituents beyond that enjoyed by most of us. I have no doubt that Mr. Wallace's unprincipled attack upon Congressman KIRWAN will consolidate and enhance his reputation and ability to get things done, both in this House and in his home district. I should imagine that MIKE KIRWAN is proud of both the political authority ascribed to him in this article, and the fact, considering the source, that he has been selected for attention by the Reader's Digest.

I do know this. MIKE KIRWAN is a man and a public servant of broad vision and discernment. In every State in the Union, you can see the earth and steel and concrete results of that vision. To my own knowledge, the gross national product of the United States, which has phenomenally increased during MIKE KIRWAN's tenure in office, the income of our people throughout the country, reflecting in tremendous increases in treasury revenues, and the prosperity of our entire country can be ascribed in no small part to the public works projects he has sponsored and approved as chairman of the Public Works Subcommittee of the Committee on Appropriations. I know this, and there can be no doubt of it in the minds of any Californian, that the development of our great Central Valley would have been impossible without MIKE KIRWAN's understanding and appreciation of its importance, and his broad vision.

It seems to me that the very title of this article is reminiscent of the cries of

those of small vision, who called the Panama Canal an unneeded "Big Ditch," and who wrung their hands over the disruption of commerce and the loss of established transportation which would result from its construction. I am reminded also of the continuing outcries of all of those of small vision and short sight, who characterize as waste, extravagance, boondoggle, and pork barrel any major project for the benefit of the people of America.

I call to your attention that there is not a single fact or established criticism in the article of the project which it discusses. The article, understandably, quotes the anguished comments of those representing other areas, or industries, which fancy their stranglehold on commerce in the area would be endangered by the Lake Erie-Ohio River Canal. The article states it would hurt the railroads, and undoubtedly it would provide competition, which our prior experience has established is healthy for our economy. Understandably, it is questioned by the representatives of other States, who fear diversion from established transportation routes. The article questions recreational values of the project, notwithstanding the fact that generally speaking, realized recreational and public use are running as high as 10 times as great as those originally estimated by the Corps of Engineers.

I think the Members of this House will grant that it has been our experience that the Corps of Engineers of the U.S. Army are a hardheaded group, who call the shots as they see them, and who are exceedingly difficult to influence, but the pipsqueak of Pleasantville infers that the finding of economic feasibility and the favorable cost-benefit ratio established by the Corps of Engineers for this project are the product of some sort of political skullduggery and deliberate falsehood. I think this article defeats Mr. Wallace's purposes, when it reveals that "the idea of an inland waterway linking Lake Erie and the Ohio River dates back to George Washington's day," and further, that it was revived early in this century by industrialists seeking low-rate barge transportation. Of course, Mr. Wallace adds, "at taxpayers' expense." Thus, we have a project in the great industrial heartland of America, which has been a dream of farsighted citizens for two centuries, and for which we now for the first time, have the technical knowledge and the resources to realize, and which the Corps of Engineers of the U.S. Army, after years of study, has given a go-ahead on the grounds of technical feasibility and economic justification. We have a project which it has been officially determined will pay its own way and return to the Treasury all of the funds expended, except those nonreimbursable funds allocated under public policy to the broad public interest in flood control and recreation. Against it we have possible competitive interests and the objection of Mr. Wallace, of Pleasantville, N.Y., whose ideas of waste and extravagance and misuse of taxpayers' funds are peculiar, to say the least. It has been the experience of nearly every Member of this House that MIKE KIRWAN's brand



of extravagance pays off. He is a big builder, but this is a big country with big demands for the future, and I for one am willing and anxious to give another of MIKE KIRWAN's projects, this time for the benefit of the people of the district he represents, an opportunity to pay off, as ours have.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. EVINS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Speaker, I thank my friend for yielding to me and I want to commend the gentleman from California [Mr. Sisk] for bringing this matter to the attention of the House. I would also like to associate myself with the remarks of the gentleman. I have read the article in the Reader's Digest to which the gentleman referred, and it is full of inaccuracies. It is not objective. It is very biased, and slanted, and I personally prefer to listen to the reports of the Corps of Engineers rather than prejudicial views of the Reader's Digest in matters of conservation and water resource development.

I also want to say that Congressman KIRWAN is one of the greatest men in this House who, as chairman of the Committee on Public Works Appropriations, has done a great work in conservation and public works development in the national interest.

I serve with Chairman KIRWAN on the Public Works Committee—I know of his great dedication and concern for the national interest. Only yesterday Chairman KIRWAN at a meeting of our committee urged members to continue to fight for the development of the Nation's resources.

He stressed the fact that our Nation is assisting Europe and Japan in strengthening their steel industries—and that further development of our national internal waterway system will strengthen our domestic steel industry.

I have never known a man who contributed more to the growth and development of conservation and resource development than Chairman KIRWAN.

The Reader's Digest is known nationally for its slanted and distorted stories, its lack of sound reporting, its failure to provide the full facts with balanced articles by giving both the positive and negative features of the matter under discussion.

It is significant in this instance that its position parallels that of the railroad interests which have always opposed construction of waterways which make possible more efficient transportation and cheaper shipping rates for business and industry.

The facts are that the U.S. Corps of Engineers has consistently reported that construction of this vital and essential Ohio-Lake Erie Canal project would be a useful and helpful waterway as a part of our internal transportation system in the heartland of America as our population in terms of people and vehicles continues to expand.

The facts are that Corps of Engineers projects have saved many lives and have

prevented more than \$14 billion in flood damages. These projects have also been a major factor in much of the Nation's economic development and in the expansion of its waterways transportation system.

My distinguished colleague, the gentleman from Ohio [Mr. KIRWAN] has served ably and well as chairman of the Subcommittee on Public Works Appropriations and has been a leader in this great development of our Nation.

The Nation owes him a great debt of gratitude for his magnificent leadership for growth and progress.

Mr. SISK. I thank the gentleman for his comments.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Speaker, I would state that I have not read the article the gentleman referred to because the Reader's Digest gives me indigestion.

Mr. SISK. I appreciate the comments of my friend from New Jersey, and I too would not have read the article myself had it not been called to my attention, because I no longer permit the Reader's Digest to come into my office.

Mr. McFALL. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from California.

Mr. McFALL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I wish to associate myself with the remarks of my colleague from California in calling to the attention of Members of the House this latest attack upon the Congress by the Reader's Digest.

Under the present management, the Digest has been turned into an instrument to further the distorted viewpoints of the radical right.

Until a few years ago, the Digest enjoyed a reputation for presenting interesting, educational, and entertaining articles. It maintained a rather decent approach and, as a result, attained a certain reputation for credibility. This has changed, to such a degree, unfortunately, that many readers have become properly distrustful of the contents of the Digest.

Almost every month now we can expect a specially written article, filled with half-truths or untruths which are critical of the Congress or the administration. It is done as a matter of policy and becomes a transparent attempt to promote a rightwing philosophy held by Mr. DeWitt Wallace, whom my colleague has described adequately.

An example which comes to mind is a Digest presentation, prepared by one of Mr. Wallace's hatchetmen, concerning the antipoverty program in Laredo, Tex. This article was written for the purpose of discrediting Congress and was untrue in every material detail.

Once again, by design, an attempt has been made to discredit the Congress by a vicious and completely biased article which appeared in the June issue of the Digest. Although our esteemed colleague from Ohio, Congressman MICHAEL KIRWAN, is the alleged target of the slanted efforts of the writer, the integrity of our entire body is the real target.

As has been pointed out, MIKE KIRWAN needs no defense, for he has gained the respect and admiration of the entire Congress for his dedication and determination to help our Nation develop its natural resources. I was nevertheless glad to note that he has set the record straight concerning the Lake Erie-Ohio River Waterway project in the RECORD for May 25.

Mr. KIRWAN's statement clearly shows that the vehicle seized by the Digest for its latest ranting reflects primarily the economic self-interest of the railroad industry.

The complete picture has been set out before, and was readily available to the Digest. In fact, the writer assigned to prepare the article called upon knowledgeable staff members of the House Appropriations Committee and was furnished information concerning this project which had been developed at hearings.

As the saying goes, however, he did not "want to be bothered with the facts."

There is nothing wrong with presenting economic self-interest on any subject, of course. Responsible journalists, however, attempt to examine both sides of the coin—which was not done in this case.

When an obvious effort is made to describe the Digest's view as the only acceptable truth while carefully ignoring any opposing viewpoints, as the Pleasantville propagandist has done in this instance, it amounts to journalistic malfeasance and must be labeled as such.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I wish to associate myself with the remarks of the gentleman, and I want particularly to say that in my judgment no person ever came to this House who was more thoroughly dedicated to the building of America than MIKE KIRWAN, and the services of no person in or out of Government or within the Government in any department has done more toward the building of America than the services of MIKE KIRWAN.

Mr. SISK. I thank my colleague.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. BOLAND. Mr. Speaker, I want to associate myself with the remarks of the gentleman from California with reference to the chairman of the Subcommittee on Public Works of the Committee on Appropriations, the distinguished member from Ohio [Mr. KIRWAN].

This is not the first time that the Reader's Digest has been inaccurate in some of its articles on Federal agencies. I recall one that was made some time ago concerning the Department of Housing and Urban Development, specifically in relation to the urban renewal program. That statement had as numerous inaccuracies as there are grains of sand in the Sahara.

The gentleman from California has called attention to one of the statements in the Digest indicating that the gentleman from Ohio has used his committee as a political pork barrel. That assertion could not be further from the truth.



I am sure that the Members who sit on that committee from the opposite side of the aisle will agree that no one is more fair in considering projects all over America without regard to political considerations, than the gentleman from Ohio [Mr. KIRWAN] has been.

I am sure that the public works appropriation bill, which will be brought to the floor of this House in the near future from the Subcommittee on Public Works, will clearly indicate that this is so. The gentleman from Ohio does not look at the political implications at all. All he looks at are the facts determining the feasibility of the project and its relation to the impact on the Nation.

Mr. Speaker, I am glad that the gentleman from California has taken this opportunity to set straight some of the inaccuracies of the article.

Mr. SISK. I thank my colleague and agree with every word that he has said. The gentleman from Massachusetts has described much more eloquently than I could have the great service rendered by our colleague, the gentleman from Ohio [Mr. KIRWAN].

Mr. WAGGONER. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. WAGGONER. Mr. Speaker, I thank the gentleman from California for yielding and I want to express my appreciation to him for having focused our attention here in the House of Representatives today on this very unfair and inaccurate article by the Reader's Digest which is unduly and unnecessarily critical of our colleague, the gentleman from Ohio.

Mr. Speaker, the same Corps of Engineers that conducts feasibility surveys and studies for all our other public works projects conducted a study in this instance and I am told that Congress in 1935 authorized this project as a result of a feasibility study of the Corps of Engineers. The Corps of Engineers recommended it and said the benefits would exceed the cost. I would only say that the Congress has been negligent for quite a number of years in not having acted to do something about this authorization before now.

Mr. Speaker, I accept in good faith the feasibility surveys and studies of the Corps of Engineers. I admire and respect the corps. They have done such studies in my congressional district and I suppose they have done such studies in every congressional district in the United States. I feel I have had fair treatment. I do not think anybody is entitled to say that a Member of Congress who has treated so fairly all the other congressional districts in this country has abused his chairmanship of this all-important committee. I admire and respect MIKE KIRWAN.

Mr. Speaker, again I say I appreciate the gentleman bringing this to the attention of the House.

Mr. SISK. I thank my colleague, the gentleman from Louisiana.

Mr. HAGAN. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. HAGAN. Mr. Speaker, I also would like to associate myself with the remarks made by the gentleman from California.

I want to say if the people of America could have received the kind treatment I received, which has meant so much to the people of my congressional district when I was a freshman Congressman back in 1961, at the hands of one of the great men of this House of Representatives, the gentleman from Ohio, MIKE KIRWAN, and if they could have witnessed firsthand during the past 7 years, the services, the real services, that this man has rendered to America and to the people of all the districts in this Nation, they would have done, as I did some time ago, quit looking at the Reader's Digest.

Mr. SISK. I thank my colleague very much.

Mr. MORRIS of New Mexico. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. MORRIS of New Mexico. Mr. Speaker, I want to join my distinguished colleague, the gentleman from California.

Mr. Speaker, I have had the honor and privilege of serving as a member of the Subcommittee on Public Works of the Committee on Appropriations for the last year and I have served under several chairmen in the 9 years that I have been a Member of the Congress, but I have never served under any man who is more fair and who gives more consideration not only to the witnesses but to the Members of the Congress, a man who has a more sincere and stronger feeling for our country, than the gentleman from Ohio.

I think the snide and unfair remarks that have been made about the projects that he has handled are very unfair and are uncalled for.

Mr. SISK. I thank my colleague, the gentleman from New Mexico very much.

Mr. Speaker, I yield myself 2 additional minutes. I yield to my colleague, the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, I take this time to join my colleague from California in this matter. The reference to pork barrel operations of the Public Works Subcommittee of the Committee on Appropriations is certainly untrue and unfair. One has only to look to the record to see the facts. I point to my own State and the work accomplished there through the Bureau of Reclamation and the Corps of Engineers in northern California. Since my coming to Congress 9 years ago, our friend MIKE KIRWAN, a Congressman from Ohio, has given every bit of consideration he possibly could to the needs of the Nation, and especially to the needs of California.

In the Central Valley project and in the work of the Corps of Engineers in northern California we have projects that will speak for themselves. They are certainly not pork barrel operations. They are something that was badly needed. Mr. KIRWAN gave them his full and just consideration, and those projects are now under construction or serving the Nation.

Mr. SISK. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. I thank the gentleman for yielding. I commend him for

taking the lead on the floor today to supply, I think, a much needed rebuttal to some of the misleading information, some of the downright inexcusable misinformation that appeared in the Reader's Digest article concerning our beloved colleague, MIKE KIRWAN. I think there is in this body a universal feeling shared on both sides of the aisle that this able Representative of the State of Ohio is performing outstanding service to the entire Nation in the responsible post he holds on the Appropriations Committee, and that he has made a great contribution to the growth and development of the entire Nation in that post.

Mr. SISK. I thank my colleague from California and the gentleman from Oklahoma.

Mr. VAN DEERLIN. Mr. Speaker, our colleague, BERNIE SISK, is to be commended for taking this time today to discuss the highly unfair criticism directed lately at the proposed Lake Erie-Ohio River Canal.

This project needs no defense from me. Nor does that great American, the gentleman from Ohio [Mr. KIRWAN].

I happened to visit MIKE KIRWAN's district a few months ago, so I know a little bit about how the people there feel about MIKE, and what they think of the canal.

MIKE is tops in their book, and always has been. They have been reelecting him for the last 30 years, a fact that attests to the kind of support MIKE enjoys in Ohio's 19th Congressional District.

Mr. KIRWAN's constituents also know what the canal is going to do for the economy of their area. It will provide a vital new transportation artery to the steel mills of the Mahoning Valley. And the benefits will extend far beyond the boundaries of Ohio. As has already been pointed out, the proposed canal, along with the Tennessee-Tombigbee Waterway in Alabama and Mississippi, would save hundreds of miles in the water journey from Lake Erie to Mobile, Ala.

Opponents of the canal might also recall that it has been endorsed by the Army Corps of Engineers and the Mississippi Valley Association. The Engineers, in fact, first urged construction of the canal nearly 120 years ago, and it was one of the first projects adopted by the Mississippi Valley Association back in 1920.

I was most impressed by the arguments recently offered on behalf of the canal by Everett T. Winter, former executive director of the prestigious association.

Mr. Winter pointed out that the canal would be part of a long planned national transportation system, of great importance to such farflung cities as Cincinnati, St. Louis, Pittsburgh, Memphis, and New Orleans. He continued:

Had it not been for the misguided opposition (mostly the railroads) this project would have long since been built and paid for at a cost much lower than the present price tag. We, the taxpayers, were entitled to this project years ago and at a much lower cost.

Mr. Winter also expressed the hope that Congress will always be fortunate enough to have Members with wisdom and broad vision like MIKE KIRWAN. I heartily concur.



Mr. O'HARA of Illinois. Mr. Speaker, today when the distinguished gentleman from Ohio [Mr. KIRWAN] is the recipient of so many compliments from his admiring friends, it is fitting to note the appraisal of him by a most noted American jurist. No less an eminent American than the Chief Justice of the Supreme Court of the United States, Mr. Justice Warren, who as Governor of California had a rich background of experience and knowledge upon which to base his evaluations, has said that Theodore Roosevelt and MIKE KIRWAN were the two outstanding conservationists in the history of our country, and to them future generations forever would be indebted.

## GENERAL LEAVE TO EXTEND

Mr. SISK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. CHAMBERLAIN] and ask unanimous consent that he may be permitted to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## FREE WORLD SHIPS ARRIVING IN NORTH VIETNAM DURING THE FIRST 6 MONTHS OF 1967

(Mr. CHAMBERLAIN asked and was given permission to revise and extend his remarks.)

Mr. CHAMBERLAIN. Mr. Speaker, according to information I have received recently from the Department of Defense, the number of free world ships arriving in North Vietnam during the first 6 months of 1967 is almost double the volume of traffic that occurred during the last 6 months of 1966.

During the past months, 11 more non-Communist ships—nine British, one Italian, and one Cypriot—carried goods to North Vietnam.

This June traffic brings the total for the first 6 months of this year to 39 ship arrivals, as compared to the 20 vessels that arrived during the last 6 months of 1966. These 39 ships represent a total cargo capability of 258,000 tons, more than 78,000 tons of which is attributable to the June trade.

In addition, and for at least the fourth month this year, strategic goods have been delivered in June by free world ships.

Now if there is anyone in this Chamber who is not stunned and outraged at this situation—if there is anyone who thinks this trade does not amount to much—let me tell you further that during June the free world ship arrivals in North Vietnam were in excess of the Soviet ship arrivals for the same month period.

What does it take, Mr. Speaker, before the administration will decide to take effective action to eliminate this aid and comfort to the enemy?

It is particularly disturbing to note the presence of an Italian-flag vessel back in business engaging in this trade after Congress last year, over the opposition of the administration, clearly prohibited

any U.S. military or economic aid to countries which permit vessels under their registry to carry any kind of goods, from any source, to North Vietnam. I have written to the Secretary of State asking what steps will be taken to implement this legislation with respect to the Italian Government.

With speculation now rampant about sending more troops to Vietnam—by the hundreds of thousands—has the time not arrived when greater efforts should be made to deny the enemy the wherewithal to carry on the war? Is this not a fair question? If there are those who accept the explanation that the British ships involved in this traffic are long-term charters to the Communists and therefore nothing can be done about it, I would ask if anyone believes that the British Government would be helpless to control the activities of these same vessels if they were being used to support the Government of Rhodesia?

Mr. Speaker, it is clear that North Vietnam needs all the supplies it can get, for without logistical support it cannot prolong the war in the South. Particularly in view of the heavy casualties our fighting men have suffered along the DMZ in our efforts to plug the infiltration routes, it is appalling to know that free world ship arrivals have almost doubled during the past 6 months and that greater efforts have not been made to prevent the sinews of war from reaching the shores of North Vietnam in vessels flying the flags of our so-called friends.

## NATIONAL WATER COMMISSION

Mr. SISK. Mr. Speaker, I urge the adoption of the resolution, and move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. JOHNSON of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes.

## CALL OF THE HOUSE

Mr. DERWINSKI. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 164]

Ashley	Dorn	Holifield
Baring	Feighan	Hungate
Berry	Fisher	King, Calif.
Bolton	Ford, Gerald R.	Kyl
Burton, Utah	Fulton, Tenn.	Leggett
Bush	Gardner	Lukens
Clawson, Del	Giaimo	McClure
Collier	Grover	McDade
Conyers	Hansen, Wash.	Machen
Dent	Harsha	Martin
Diggs	Hébert	Meeds
Dingell	Herlong	Monagan

Moore	Rivers	Springer
Moorhead	Rostenkowski	Stuckey
Morris, N. Mex.	Roush	Tuck
Moss	St Germain	Tunney
O'Konski	St. Onge	Udall
O'Neal, Ga.	Scheuer	Vigorito
Pike	Shibley	Watson
Purcell	Smith, N.Y.	Willis

The SPEAKER. On this rollcall, 373 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

## NATIONAL WATER COMMISSION

The SPEAKER. The question is on the motion offered by the gentleman from California [Mr. JOHNSON].

Mr. GROSS. Mr. Speaker, I desire to make a point of order against consideration of the bill.

The SPEAKER. The gentleman will state his point of order.

Mr. GROSS. Mr. Speaker, I call the attention of the Chair to Public Law 801, 84th Congress. Without reading the enacting clause, I will go directly to section 11 of Public Law 801, which provides as follows:

Sec. 11. (a) Each report, recommendation, or other communication, of an official nature, of any department, agency, or independent establishment of the executive branch of the Federal Government (including any corporation wholly owned by the United States) which—

(1) relates to pending or proposed legislation which, if enacted, will entail an estimated annual expenditure of appropriated funds in excess of \$1,000,000,

(2) is submitted or transmitted to the Congress or any committee thereof in compliance with law or on the initiative of the appropriate authority of the executive branch, and

(3) officially proposes or recommends the creation or expansion, either by action of the Congress or by administrative action, of any function, activity, or authority of any such department, agency, independent establishment, or corporation, to be in addition to those functions, activities, and authorities thereof existing at the time such report, recommendation, or communication is submitted or transmitted to the Congress or any committee thereof, shall—

I emphasize the word "shall," which is mandatory—

contain a statement, with respect to such department, agency, independent establishment, or corporation, for each of the first five fiscal years during which each such additional or expanded function, activity, or authority so proposed or recommended is to be in effect, disclosing the following information:

(A) the estimated maximum additional—

(i) man-years of civilian employment, by general categories of positions,

(ii) expenditures for personal services, and

(iii) expenditures for all purposes other than personal services,

Mr. Speaker, I shall not read the remainder of the public law unless the Chair desires to hear it. I do call the attention of the Chair to the fact that the executive communication, to be found on page 7 of the report, clearly demonstrates that the requirements of Public Law 801 have not been met in the legislation proposing creation of this new Commission or with respect to the proposed expenditure of \$5 million under the bill.

Mr. Speaker, I ask that the point of order be sustained.



The SPEAKER. Does the gentleman from California desire to be heard?

Mr. JOHNSON of California. No, Mr. Speaker. I will stand on the ruling of the Chair.

The SPEAKER. Will the gentleman from Iowa send the act to which he refers to the desk?

Mr. ASPINALL. Mr. Speaker, I would like to be heard on the point of order made by the gentleman from Iowa.

The point of order, if it is a point of order at all, should have come at the time the Executive communication was received. It should not be made against the report which is now before the Congress. The bill which we are considering is a bill from the other body, received by this body in due course, and referred to the committee which has jurisdiction over these matters, and it was properly before the committee. It is now here in conformity with the rules of the House.

Mr. GROSS. Mr. Speaker, may I be heard further on the point of order?

The SPEAKER. The Chair will hear the gentleman.

Mr. GROSS. Mr. Speaker, it seems to me that the issue is plain. Nothing accompanying this bill, as required by Public Law 801, shows the man-years of civilian employment that will be entailed, the expenditures for personal services, and the expenditures for all other purposes other than personal services.

That is the issue in the point of order. No report accompanying the bill conforms to the requirement of Public Law 801.

Mr. Speaker, I do not know how, as suggested by the gentleman from Colorado, a point of order could be made against a committee.

The SPEAKER. The Chair is prepared to rule.

The law referred to by the gentleman from Iowa places the obligation upon the executive departments or agencies or independent offices to prepare their recommendations with respect to the information contained in the law referred to. However, this does not change any rule of the House of Representatives, and this matter is before the House in accordance with the Rules of the House of Representatives.

Therefore, the Chair overrules the point of order.

The question is on the motion offered by the gentleman from California [Mr. JOHNSON].

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 20, with Mr. CHARLES H. WILSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. JOHNSON] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I yield such time as he may

consume to the chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL].

(Mr. ASPINALL asked and was given permission to revise and extend his remarks.)

Mr. ASPINALL. Mr. Chairman, as the gentleman from Iowa [Mr. GROSS] has so aptly stated and brought before the committee, this legislation comes to the Congress of the United States as an executive request, as an executive recommendation three different times from the President of the United States.

I should like to advise my colleagues that there was little opposition to the legislation in the committee. The opposition was not to the purposes of the bill, but rather it was to the manner that was to be followed in the selection of members of the Commission.

The Commission is to be composed of seven members, at a cost of \$5 million over a 5-year period.

We did receive from the Department of the Interior, from the Bureau of the Budget, a statement as to the amount of money that would be necessary, and we placed it in our report, and it will be found in the hearings.

I am of the opinion that we cannot judge the cost of this proposed program by the means that our good friend and colleague, the gentleman from Ohio [Mr. LATTAL] attempted to judge it, at \$1 million approximately per member of the Commission.

That is not what is involved here. The Commission members are limited in the amount of money they can receive for their work. All of them are expected to be specialists in water matters. All of them will be under the responsibility, of course, of the Commission working with the President of the United States. They are required to make reports not only to the President but to the Congress of their findings and of their recommendations. There will be no policy whatsoever established by this Commission. This Commission can truly be said to be a successor—and I hope a fitting successor—to the work of the Kerr Water Research Committee. This was the committee headed by the late Senator Kerr of Oklahoma when he was a Member of the other body. They issued a report on water resources, and there needs to be an updating of and furthering that very valuable report from the other body.

The President in his first message—and I refer to the report—made the following statement:

In no area of resource management are the problems more complex—or more important—than those involving our Nation's water supplies. The water shortage in the Northeastern United States is a dramatic reminder that we must take every possible step to improve the management of our precious water resources.

Now, in line with that, may I suggest to my colleagues that the sponsors of this legislation come from the West, the Middle West, the East, and the Far East. If you will look at the report, on page 3, you will find out who the sponsors are. They are sponsors regardless of partisan membership.

The President's second message said, and I quote:

Many regions of the country are facing increasingly critical problems of adequate supply and efficient use of water. I urge prompt enactment of legislation to establish a National Water Commission to assess our major water problems and develop guidelines for the most effective use of available water resources.

During the process of the debate there will be one or two Members who will refer to the amounts of water available for our present usage and who will refer to what we must do if we are to take care of the growth of this Nation.

In his third message the President stated, and again I quote:

I am renewing my recommendation for the enactment of legislation to establish a National Water Commission, Working with the Water Resources Council and with Federal, State, and private agencies, the Commission will examine our major water problems and develop recommendations, guidelines, and long-range plans for the most effective use of available water resources.

I doubt if it is necessary for any Member of this body to state to his colleagues the need for continuing studies of our water resources supplies. This is the closest problem to us outside of that of the air itself which we breathe. All of us are aware of the difficulties involved here. All of us know where there are shortages, and some of us thing we know where there are some surpluses, but nature takes care of this in her own way. Where there are shortages today there may be surpluses tomorrow, and where there are surpluses today there may be shortages tomorrow. All we wish to do and what we desire to do with this legislation is to learn sufficiently about this great natural resource as it affects our own Nation and its people so we can use the water that is available in the most efficient and effective way.

The mission of this Commission is first, to make "such projections of water requirements as may be necessary to identify alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies increased usability by reduction of pollution, innovations to encourage the highest economic use of water, inter-basin transfers, and technological advances including, but not limited to, desalting, weather modification, and waste water purification and reuse";

Second, to "consider economic and social consequences of water resources development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people"; and

Third, to "advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council."

Mr. Chairman, this Commission is to work in close association with the other existing water resource programs and water resource agencies of the United States.

The amount of money involved is a mere pittance compared to some of the amounts of money that we are spending on many matters that are much farther away from us than the specific question of available potable water.



Mr. EDMONDSON. Mr. Chairman, will the gentleman now yield to me?

Mr. ASPINALL. I yield to my good friend and colleague, the distinguished gentleman from Oklahoma [Mr. EDMONDSON], who has some questions about the legislation and who has expressed those questions during the consideration of the legislation.

Mr. EDMONDSON. Mr. Chairman, I thank my distinguished chairman of the Committee on Interior and Insular Affairs for yielding to me at this point.

Mr. Chairman, I wish to begin by stating that I have the very highest esteem and regard for the chairman of the Committee on Interior and Insular Affairs and for the committee itself, as well as for the motivation of all who have sponsored this legislation.

The chairman of the committee will recall that during the consideration of this legislation in the committee I offered amendments which were intended and designed to provide for congressional participation in the work of the Commission and I also expressed concern that the Commission might operate as a convenient excuse or reason for delaying action by the Congress upon needed legislation and needed projects in the water field.

Now, I know that the committee report includes some language on this second point.

However, I would like to hear the chairman of the committee comment upon this specific point in particular and upon the feeling of the committee with reference to the possibility that the existence of this Commission and the fact that it is studying particular water problems or, in the words of the bill, "a particular water resource which might be referred to it by the President and the Water Resource Council," might serve to delay needed projects.

Mr. Chairman, in my opinion this might be the hook upon which hats can be hung to say that we are not going to go ahead with any legislation in this field at the present time or during this year.

Mr. ASPINALL. I shall be glad to answer the interrogation of my good friend, the gentleman from Oklahoma [Mr. EDMONDSON], because the gentleman has brought up a point which is very important, especially since we do have a Legislative Layman's Commission at the present time study others of our natural resources. During the study of the Public Land Law Review Commission, we have made reference to the fact that we do not desire any major legislative changes in our current existing policies concerning public lands.

In furtherance of my reply to my colleague from Oklahoma, Mr. Chairman, I refer to the statement as contained in the report on page 7, the first full paragraph, which states as follows:

While the objective of this review of national water resource problems and programs is to improve water management and provide for maximum and best use of our water resources in the future and to assist in the formulation of consistent and effective national policy, it is not intended that the planning of urgently needed water resources development projects, or recommendations of the Executive agencies concerning such

projects, be delayed while the work of the Commission is underway. Neither is it intended that the Commission take a position on specific project proposals.

And, Mr. Chairman, may I advise my colleagues that this refers not only to reclamation projects, but this refers to the public works projects of the Army Corps of Engineers, this refers to the water resources projects of the Department of Agriculture and this also refers to any programs or projects having to do with antipollution or pollution clearance programs.

May I say further to my colleague, the gentleman from Oklahoma [Mr. EDMONDSON], that so long as I am chairman of the Committee on Interior and Insular Affairs—and I believe I can speak also for the ranking minority member of the committee, the gentleman from Pennsylvania [Mr. SAYLOR]—we shall see to it that the power of this Commission is not used in the manner in which the gentleman from Oklahoma has suggested it might be used.

However, we are going to see to it that our water resources development programs continue just as they have in the past and we will make them just as orderly as possible until existing policies may be changed by regular legislative procedure.

Mr. EDMONDSON. Mr. Chairman, I appreciate that assurance from the chairman, and I am quite sure it does represent the majority feelings of the committee; in fact, the feelings on both sides of the committee with reference to the manner in which this Commission might operate.

Does the chairman have any difficulty at all reconciling that position, however, including the statement in the report that it is not intended that the Commission take a position on specific project proposals, with the language that appears on line 22 on page 3 of the bill in which it says that the Commission shall advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council?

Mr. ASPINALL. I personally do not have, because I believe there is a difference in the question of specific water resource matters and water resource projects. I think this language is supposed to refer to the study of desalination, the study of weather modification, the study of water augmentation, the study of interbasin transfers, and the study of channelization, and not only this, but also the wise use of water because, as the gentleman knows, we are a spendthrift nation as far as the use of water is concerned. I believe this is what this particular language refers to, rather than to specific projects which will be before the Congress of the United States.

Mr. EDMONDSON. Mr. Chairman, I thank the gentleman very much.

Mr. ASPINALL. Mr. Chairman, the inclusion of Members of Congress on the National Water Commission would not be consistent with the objective sought by the enactment of this legislation.

The National Water Commission is intended to be a highly specialized and technical nongovernment group appointed for the specific purpose of conducting an independent and objective re-

view and study of this Nation's water problems and programs. The members of the Commission should be selected on the basis of their knowledge and experience in the water resources field, keeping in mind that the membership should include experts in all segments of water resources development. In addition, they must be able to devote a great deal of time to the work of the Commission. Not only would Members of Congress not have the time for this assignment but their inclusion would defeat the objections of having a completely nongovernment group.

We are hopeful that this legislation will result in recommendations for improving water management and formulating existing Federal national policies. If so, the Congress will have an opportunity to consider and act on these recommendations. I believe that a Presidential Commission, as presently proposed in this legislation, without congressional Members is the appropriate group to carry out this specific assignment.

Mr. EDMONDSON. Mr. Chairman, I intend to vote against this bill, although I appreciate fully the worthy motivation of the Committee on Interior and Insular Affairs in reporting it favorably, and of the President in recommending the measure initially.

It was suggested in committee that this measure is a logical follow-up of the Senate Select Committee headed by the late Senator Robert S. Kerr, which made such a great contribution on water problems and policies some years ago.

It should not be forgotten that the Kerr committee was a congressional committee, addressing itself with great competence and outstanding leadership to questions of water problems and policy and programs of our Government in this most important field.

I believe the National Water Commission provided for in this bill is basically intended to perform a legislative, rather than an executive, function of government.

I am concerned that the bill makes no provisions whatsoever for congressional participation in the work of the Commission. I am also concerned that the commission will provide a convenient excuse for delaying action on actual projects and legislation to meet critical, existing water needs of the Nation.

For these reasons, Mr. Chairman, I shall vote against S. 20.

(Mr. EDMONDSON asked and was given permission to revise and extend his remarks.)

Mr. ULLMAN. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Chairman, I am in full support of the proposal now under consideration to establish a National Water Commission. I want to express my personal appreciation to the distinguished chairman of the Interior and Insular Affairs Committee for the many dramatic contributions he has made to the proper development and utilization of the Nation's natural resources. He is to be particularly commended for the many months and years of work that have re-



sulted in such milestone legislation in the field of water resource development as the Water Resources Planning Act of 1965 and the legislation we are considering here today, the National Water Commission Act. The gentleman from Colorado has energetically and consistently demonstrated his support for constructive solutions to the water problems of the Nation.

I want to commend the gentleman from California, the new chairman of the Irrigation and Reclamation Subcommittee, for his action in bringing this legislation up for consideration at this time. He has long demonstrated his support for effective and equitable solutions to the pressing problems of resource conservation and development. Through the efforts of these two able chairmen and their colleagues on the Interior Committee, we now have the opportunity to set in motion a comprehensive program to assure that our great heritage of abundant water resources will be wisely husbanded for future generations. I also want to commend my colleagues from the Pacific Northwest for the cooperative effort in support of this legislation.

The enactment of legislation to create a National Water Commission will be an important step in resolving the crucial problems of water supply and utilization that presently face this Nation and which will certainly grow more serious as consumption requirements expand. To fail to face up to the realities of this problem would be to invite a disaster of catastrophic proportions. As the chairman pointed out in his remarks, it is essential that we accurately assess future water requirements because areas that are now considered to have a surplus of water may in the future be areas of major shortage. Serious water shortages already exist in some regions. Many of the arid and semiarid regions of our country are denied the benefits of economic growth because of inadequate development of existing resources and a lack of planning to meet growing national needs. Our national growth requires a level of water resource planning that will realize this great potential. A National Water Commission—independent of sectional interests and prejudices—is needed to prepare a comprehensive program for efficient and effective use of our water supply.

As a sponsor of legislation to establish a National Water Commission, I have consistently maintained that such legislation must be considered on its own merits, without being tied to a particular river development proposal and without establishing priority treatment for particular sections of the country. Such limitations would, in my judgment, prejudice the outcome of the Commission's findings. I am pleased that the House today will have an opportunity to vote on S. 20 which embodies the elements of independence that I consider essential to the success of the Commission. I strongly urge passage of the bill.

One of the first tasks of the Commission will be that of inventorying the existing water resources of each river basin. In its subsequent review of anticipated and projected requirements for water utilization in each river basin, I fully expect that the Commission will

give proper consideration to shifting population patterns that result from the availability of such resources. Also, the Commission should fully utilize the information compiled by the several river basin commissions created pursuant to the Water Resources Planning Act of 1965. Such a commission has recently been established for the Columbia Basin, and its studies are expected to be a major contribution to the future development of the region. It would be expected that in the Columbia Basin, as in other regions, the National Water Commission will incorporate and build on the recommendations of the basin commissions.

In analyzing the various alternatives for meeting future water requirements and in enhancing existing supplies in already water-short areas, I have recommended that the National Water Commission place proper emphasis on the growing potential of saline water conversion. In my opinion, the dramatic breakthroughs that can be expected in this technology in the very near future will provide the means of solving some of the most critical shortages now anticipated. In addition, work that is now being done in the science of weather modification and in waste water purification hold the promise of relieving future shortages in some areas. The Commission is also authorized to consider interbasin transfers as possible solutions to the problems of areas appropriate for such treatment. In this context, I hope the Commission would consider such prospects as collection of fresh water from coastal streams and subsequent transfer to areas of need through undersea conduits. The economies that might be realized through imaginative new techniques might well increase the feasibility of such exchanges.

As my colleagues well know, there has long been some concern that our Federal programs of river planning and development should be streamlined to facilitate congressional authorization procedures and to prevent possible delays in funding and construction of feasible and necessary projects. I hope the Commission will come up with recommendations for congressional and administrative actions to eliminate all possibility of duplication and waste in our water resource programs and to establish uniform and equitable standards for allocating project benefits and costs.

In another area of considerable interest and concern to those of us engaged in furthering the development of western resources, I believe it is imperative that the Commission recognize and maintain the validity of existing water rights as allocated by the several States. Any disruption of existing rights and uses would create economic chaos in vast areas so keenly dependent upon such uses for economic survival and future growth. The Commission is directed by this legislation to consider the economic and social impact of various water development programs, and I am hopeful that it will give this phase of its work the emphasis it deserves.

Through implementing the directions spelled out in S. 21 and by maintaining conscious concern with problems such as those I have just mentioned, the National Water Commission can minimize

the possibility of local and regional controversies that might inhibit the maximum use of our river resources. It will have within its means the solution to many of the problems that threaten maximum economic growth and opportunity. The results, we hope, will bring about a stronger and a better America.

Again, Mr. Chairman, I want to commend the gentleman from Colorado for the consideration and support he has given to this legislation.

(Mr. ULLMAN asked and was given permission to revise and extend his remarks.)

Mr. SAYLOR. Mr. Chairman, I yield to the gentleman from Oregon [Mr. WYATT] at this time, as much time as he may consume.

(Mr. WYATT asked and was given permission to revise and extend his remarks.)

Mr. WYATT. Mr. Chairman, the last 2 years have seen this country come of age waterwise. We have finally come to realize that if we are to avert a serious water crisis in this country, we must act now to undertake the necessary planning to avert it.

It has been estimated that there is available in the world today from stream flow and ground water 560 billion gallons of water a day. We now use about 350 billion gallons per day. With the huge population increase predicted in the world, it is predicted that within 15 years we will be using more than the existing daily supply of water in the world. Estimates run as high as 1 trillion gallons of water use by the year 2000. Reducing these figures to more meaningful local statistics, we find that in 1900 we used an average of 40 billion gallons of water per day in the United States. By 1975, our consumption of water will be 10 times that figure. This gives some conception of the magnitude of the problem.

It is, therefore, essential that the total water problems of the United States be thoroughly studied. If we were to attempt a piecemeal study of the problems of one section or another, we are apt to create more problems than we are seeking to remedy.

Many pressing problems must be studied. The identification of the water problems—the water-short areas—is only the beginning. The alternatives yet available to us must be given close scrutiny. The conservation and more efficient use of water is perhaps the largest single potential for stretching out our available water supplies. Water reuse, increased usability by reduction of pollution, the study of the highest economic use of water, interbasin transfer economics, desalination, and weather modification all offer challenges to us and hopes for the future. There is still time, but these subjects must be studied in depth, by a commission that can bring together into focus all of the work previously done on them. The creation of this commission is a must, and a hopeful sign for the future in the vital water field.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. WYATT. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I too want to join my neighbor to



the north in complimenting the gentleman in the well for his fine statement.

(Mr. DON H. CLAUSEN asked and was given permission to revise and extend his remarks.)

[Mr. DON H. CLAUSEN addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. DELLENBACK. Mr. Chairman, will the gentleman yield?

Mr. WYATT. I yield to the gentleman.

Mr. DELLENBACK. I want to commend my colleague from the State of Oregon for his thoughtful and able presentation of the reasons why this legislation is desirable.

Those of us from the Pacific Northwest know of the vital importance of water to our entire area.

I join with my colleague in the sentiments he has so ably expressed on this particular measure. I feel it is imperative that the studies which are a portion of the steps contemplated by this measure be undertaken at the earliest possible opportunity and I join with my colleague in urging support of this measure today.

Mr. WYATT. I thank my colleague, the gentleman from Oregon.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. REINECKE].

(Mr. REINECKE asked and was given permission to revise and extend his remarks.)

Mr. REINECKE. Mr. Chairman, the bill that we are speaking on today is something that has been of concern to water engineers for many, many years.

Basically, a part of the problem is that the classical approach to water resources development has been to find new sources and new canyons in which to build dams from which to run pipelines and new pumping plants.

I think we have just about dried up the sources like this just about the same as we have dried up the sources of a great deal of taxation in this country.

Now we are looking for new resources, namely, conservation and a higher degree of utilization of water in this country.

I am firmly convinced that a great deal of headway can be made if we would simply quit wasting water that we have in the pipelines now.

The simple fact of metering domestic outlets has proven to be a very dramatic method of conserving water.

Many, many things can be done and what we are trying to do here today is to put together a commission that will look at the water development problem on a systems basis approach.

In other words, let us analyze the problem and let us see what the total resources are—not just the natural stream flow of waters but the resources of water whether it is through desalting, reutilization or whether it is antipollution measures which might make water more available. While we are spending \$5 million, if properly spent, we will be paid back through the services rendered by this Commission and will result in a savings of billions of dollars in new development programs.

It is a proven fact that in many States, over 90 percent of the total water is used in agricultural irrigation. The reason we

are building vast new supplies is because of urban population increases, not agricultural uses.

From a previous study of the history of work that has been done in conservation of agricultural water uses, we could easily triple the water supply available for the increase in population, while reducing farm costs at the same time.

If this conservation can be applied to the burgeoning population, many of the water development programs could be delayed or eliminated.

I am simply saying, let us define the problem before we determine a vague political answer that may not solve the problem at all.

An analytical systems approach considering all resources is the only satisfactory, sensible approach to solving complex water problems.

I urge all colleagues to support the bill.

Mr. JOHNSON of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. FOLEY].

(Mr. FOLEY asked and was given permission to revise and extend his remarks.)

Mr. FOLEY. Mr. Chairman, I shall not speak long. I wish to state my very strong support for the legislation before the Committee today. I believe that the establishment of a National Water Commission will be considered one of the most significant items of legislation which the Committee on Interior and Insular Affairs will report in this Congress. It is my hope that the step that we take today will result in major benefits in the United States in the field of water development, and water quality, and will influence the policy of the Congress in the coming years.

The Commission charge is to provide an objective, nongovernmental assessment of our water needs and resources, and to report to the President and to the Congress on its findings.

I think the legislation has wisely made the Commission a nongovernmental body, so that its persuasiveness and its influence cannot be impeached on the basis of any governmental agency approach or prejudice.

I am sure that the President, in carrying out the mandate of the Congress, will appoint people of outstanding stature to the Commission.

I wish to add a word of recognition and appreciation to the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL]. Again he has shown his statesmanship in the field of water resources and development; in my judgment this bill represents a major proof of that commitment.

I hope the bill will be adopted overwhelmingly by the Committee and the House.

Mr. Chairman, I yield back the remainder of my time.

Mr. SAYLOR. Mr. Chairman, I yield to the gentleman from California [Mr. HOSMER] 5 minutes.

(Mr. HOSMER asked and was given permission to revise and extend his remarks.)

Mr. HOSMER. Mr. Chairman, at least once annually we unburden ourselves of another piece of legislation to look into water problems once again, and thereby more or less put ourselves in the category of Tom Thumb, who put his thumb into his mouth and pulled out a plum. We have at least a dozen of these various types of water commissions and agencies floating around now on what water is left, and I suppose many think it is a good idea. At least it focuses some kind of scatter-gun attention to our water problems—and that is spelled with a "s" on it because we do not have one water problem; we have an accumulation of many, many water problems of various and diverse types in separate areas of the country. I would hope the Commission would focus on them in some reasonable order of priority. If it does so, it will take up first the Colorado River's water bankruptcy.

Some area can assist in solving the water problems of adjacent neighbors where we have areas of excess water supply bordering areas deficit in water.

I would hope that this particular Commission might be the last of these various structures that have been set up as expensive special-duty operations. For example, this one can hold hearings; it can acquire, furnish, and equip such office space as is necessary; it can employ personnel and hire consultants at a rate not to exceed \$100 per day; it can purchase, hire, operate, and maintain passenger motor vehicles, and all that sort of thing.

Setting up a commission maybe 10 or 20 or 30 years ago was the only way to get a job like this done. We did not then have in existence institutions like Stanford Research Institute, the Batelle Institute, the Rand Corporation, or the Hudson Institute, and a host of others, panting to get contracts to do work like this at a fraction of the cost for which we can set up a commission to do it. However, everybody is bent on having this commission, is bent on reswearing their allegiance to solving water problems, so I guess we are going to have to pass this bill.

But in closing, let me caution that the water problems are many water problems, and that it is time that Congress, when it tackles such problems as these, should look to the matter of contract research rather than the establishment and proliferation of independent study agencies such as this.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding.

In those bygone days to which the gentleman referred, we did not have three million Government employees. One would think already in this Government, in the proliferation of organizations dealing with the subject of water, there would be enough people already aboard the Federal payroll to take care of situations that are contemplated under this bill.

Mr. HOSMER. Mr. Chairman, I believe the gentleman's observation is cor-



rect. The Interior Department and its various bureaus, with particular reference to the Bureau of Reclamation, the Corps of Army Engineers, and the Department of Health, Education, and Welfare—which has gotten into the water purity and water supply and augmentation and other types of problems in this business—could do something.

The White House has discovered water recently in the form of a weapon for peace. It got approximately a half million dollars out of Congress to put on a big Water for Peace Conference in Washington, earlier this year. I recall the gentleman from Iowa was not too happy about parting with those funds, although I suppose the party they had and the discussions in the papers probably spread the word—if needed—that we do have water problems around the world.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I had almost forgotten the approximately half-million dollars which evidently were dissipated not too long ago on that International Water Conference. I think we heard less about that than any other conference I can think of in Washington. What tangible benefit came from that expenditure? Does the gentleman have any idea?

Mr. HOSMER. I recall the gentleman did not use the word "dissipate" earlier in connection with the money. He used the word "consume" in the form of representation activities. As a matter of fact, the Congress did cut down considerably on that amount of money, and I take it there were some benefits from the conference but cannot certify their nature or extent.

Mr. SAYLOR. Mr. Chairman, I yield such time as she may consume to the gentleman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, I wish to add my congratulations to the members of the Committee on Interior and Insular Affairs and to the able committee chairman, the gentleman from Colorado [Mr. ASPINALL], and the able chairman of the Irrigation Subcommittee, the gentleman from California [Mr. JOHNSON]. The committee in reporting S. 20, as amended, to the House of Representatives for approval today, has taken what I consider to be the most long-range and objective action possible to help assure that our Nation will have the benefit of good planning and wisdom in the future use, preservation, and enhancement of our water resources.

Creation of the National Water Commission is, in my judgment, the most significant step taken by the Committee on Interior and Insular Affairs in this session of the Congress on behalf of the future well-being of our Nation and its citizens. I am proud to have been a cosponsor of this landmark legislation.

The National Water Commission will review comprehensively the national water resource problems and programs. It will review present and anticipated national water resource problems and identify alternative ways of meeting our water requirements.

Mr. Chairman, these are not only commendable objectives, they are necessary. Increasingly, almost every region of the Nation is facing water problems, many of them serious. Taken together, these problems are national in scope. The Commission will be charged with the responsibility of reviewing possible solutions with full attention to the entire range of alternatives and their ultimate consequences.

As is suggested in the legislation, the Commission will give comprehensive consideration to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, inter-basin transfers, and technological advances such as desalting, weather modification, and waste water purification and reuse. The Commission will also consider economic and social consequences of water resource development, including its impact on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people. All of these are worthwhile objectives.

As a Member of Congress from the Pacific Northwest, where water has been the key factor in our development of the past, our sustenance of the present, and our promise of the future, I give this legislation my wholehearted and enthusiastic support.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mrs. MAY. I am glad to yield to the gentleman from California.

Mr. HOSMER. As I understand the water problem of the Pacific Northwest, it is basically an excess thereof, at least in the sense that should not about 90 million to 100 million acre-feet of water waste annually from the Columbia River into the ocean, if it were withheld, it would drown most of the people in the Northwest.

In addition, since I mentioned the plight of the drought area, I hope that somehow the gentleman may persuade her colleagues, her neighbors in the the State, to consider the possibility of rerouting some of that water to the Pacific Southwest.

I might say in that connection, the best I could calculate that could happen would be for the State of Washington and the State of Oregon, and their neighbors in water plentiful areas, to decide what ransom they want to hold that water for. Once that is determined, perhaps we can make a deal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAYLOR. Mr. Chairman, I yield the gentleman from Washington 1 additional minute.

Mrs. MAY. I say to the gentleman that of course one of the reasons we wish to adopt the National Water Commission bill is to study the problems the gentleman has brought out in his remarks.

I point out to the gentleman that he uses the word "waste" very loosely. There are different definitions of this. I do not believe we can use the term "waste water" on behalf of an area which is so very dependent on its water for present and future development.

All of us are in agreement, however, that we hope the results of the study made by the National Water Commission will make it possible to come up with equitable, sound and objective solutions, with which both the Pacific Northwest and Pacific Southwest can live, without irreparable harm to either area.

Mr. HOSMER. Perhaps, in lieu of the word "waste," I should have used the expression, "dilution of the Pacific Ocean's salt water."

Mrs. MAY. Perhaps the Commission will come up with a solution as to how to get at the water at the entry to the Pacific Ocean.

Mr. SAYLOR. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. RHODES].

(Mr. RHODES of Arizona asked and was given permission to revise and extend his remarks.)

Mr. RHODES of Arizona. Mr. Chairman, I rise in support of this legislation. I believe it is a constructive piece of legislation. I congratulate the Interior and Insular Affairs Committee and its chairman for bringing it to the floor.

The whole country is interested in water. We are interested in doing something about pollution of water. We are interested in providing more water. We are interested in causing it to rain where we want it to rain instead of somewhere else.

We have problems in the East so far as water supplies are concerned. We have problems in the South. We have always had them in the West.

It seems to me this particular legislation is very important. It is important to my particular part of the country and to the part of the country represented by the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL].

It would certainly be my hope that this Commission, when it begins its deliberations and plans its work, would give very high priority to the augmentation of the water supply of the Colorado River Basin. This basin runs through the most arid portion of the United States, the great Southwest. In studying relative needs I am satisfied that the Commission will come to the inevitable conclusion that this area needs water more than any other.

I would like to address a question to my good friend, the gentleman from Colorado, the chairman of the committee. Would this legislation set up machinery for studying the augmentation of the supply of the Colorado River Basin?

Mr. ASPINALL. Mr. Chairman, if my colleague will yield, the legislation does provide authority to study the augmentation of any water-short area of the Nation, whether it be the Colorado River itself or whether it might be over on the other side of the Continental Divide or anywhere else. If I did not use the word "augmentation" at the time I was speaking and answering the questions of the gentleman from Oklahoma [Mr. EDMONDSON], I should have included it along with channelization, dualization, transmountain diversion and such



matters that have to do with the wise use of water.

Mr. RHODES of Arizona. I am sure the gentleman from Colorado shares my hope that one of the first orders of business of this Commission will be to study the augmentation of the water supply of the Colorado River.

Mr. ASPINALL. I assure the gentleman from Arizona that I do.

Mr. JOHNSON of California. Mr. Chairman, I yield myself such time as I may consume.

(Mr. JOHNSON of California asked and was given permission to revise and extend his remarks.)

Mr. JOHNSON of California. Mr. Chairman, the distinguished chairman of the Interior and Insular Affairs Committee has discussed the need for this legislation and indicated what we hope will be accomplished by the establishment of a National Water Commission to review water resource problems and programs. I shall discuss the provisions of S. 20 in a little more detail.

The composition of the Commission is covered in section 2 of the legislation.

The Commission will be composed of seven members appointed by the President from outside the Federal Government.

The statement of the President at the time he recommended this legislation and testimony given by Federal officials during the hearings make it clear that the President intends to appoint outstanding and experienced persons as members of the Commission.

In the President's words:

This Commission will be composed of the very best minds in the country.

The Chairman of the Commission will be designated by the President from among its members.

Each member of the Commission will receive \$100 per day plus travel expenses for those days actually spent on Commission business.

The Commission will have an Executive Director who will be appointed by the Chairman with the approval of the Commission.

The duties of the Commission are set out in section 3 of S. 20.

Among its specific duties the Commission will make projections of water requirement in various areas of the Nation and identify alternative ways of meeting these requirements.

It will have to give consideration to conservation and more efficient use of existing supplies and to increase usability of our available supplies by reduction of pollution.

It must also give consideration to such controversial problems as the highest economic use of water and to interbasin transfers.

As a further means of helping to meet the Nation's ever-expanding water needs, the Commission must give consideration to technological advances in the water field such as desalting, weather modification, and waste water purification and reuse.

The Commission also must consider the economic and social consequences of water development including the impact of water resource development on re-

gional economic growth, on institutional arrangements, and on esthetic values.

In addition to the specific duties set out in the legislation, the Commission must advise the President and the Water Resources Council on any specific matters they may refer to it.

Section 4 of the legislation deals with the powers of the Commission.

The Commission is authorized to hire a staff and consultants, acquire office space and motor vehicles, and use the U.S. mails in the same manner as other Federal agencies.

It is authorized to contract for studies and surveys with public and private organizations and to transfer funds to Federal agencies and to river basin commissions to carry out any aspects of its work.

The Commission may hold hearings and receive evidence as it may deem appropriate in carrying out its responsibilities.

Pursuant to the provisions of section 5, the Chairman of the Commission will exercise the executive and administrative powers of the Commission and delegate such authority as he considers appropriate to the Executive Director or to other personnel of the Commission.

The relationship between the Commission and other Federal agencies is covered in section 6.

As Chairman ASPINALL has already pointed out, the Commission must work closely with the Water Resources Council and the river basin commissions established pursuant to the Water Resources Planning Act and with other Federal agencies and States.

The Commission will not compete with Federal water resource agencies.

Instead, it will rely upon existing Federal agencies for information and assistance in carrying out its responsibilities.

The Commission is authorized to utilize the services of Federal water resource agencies, and the agencies, in turn, are authorized to furnish to the Commission any information that may be necessary or helpful to it and to detail to temporary duty with the Commission on a reimbursable basis such personnel as the Commission may need in connection with its work.

The General Services Administration will provide the financial and administrative services which the Commission may require.

This administrative support will be accomplished by a transfer of funds.

Section 7 of the legislation authorizes the appropriation of \$5 million to carry out the purposes of this legislation.

The committee adopted several amendments to the bill as it passed the other body.

We deleted the requirement for Senate confirmation of Commission members and added language prohibiting the appointment of retired Federal officers and employees.

These changes carry out the committee's view that the Commission should be a highly technical, non-Federal group with broad experience in the water field.

The committee also adopted an amendment requiring the Commission's reports to be submitted to the Congress

at the same time they are submitted to the President in order that the Congress and its committees may be kept up-to-date on the Commission's work and activities.

The one other significant amendment of the committee limits the amount authorized to be appropriated for the Commission's work to \$3 million over the 5-year period.

This estimate of fund needs was furnished the committee by the Bureau of the Budget.

Mr. Chairman, I believe the committee's amendments strengthen and improve the legislation and I urge that S.20, as amended, be approved.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the distinguished gentleman from Texas.

(Mr. MAHON asked and was given permission to revise and extend his remarks.)

Mr. MAHON. Mr. Chairman, I wish to commend the Committee on Interior and Insular Affairs, the chairman of the committee, the gentleman from Colorado, and the gentleman from California upon trying to do something to further the interests of this country with respect to water. The needs are great and the problem is nationwide in scope.

Mr. Chairman, as a Representative in Congress of a portion of the High Plains of Texas, and a portion of the Rolling Plains, an area where we have very important water problems confronting us, I cannot let this opportunity pass without expressing an interest in this study and expressing the hope that the Commission appointed as a result of the adoption of this legislation will go into this entire problem in depth and undertake to come forth with information and recommendations which will be acceptable to the Congress of the United States and the country as a whole in meeting some of the great requirements of the Nation in the field of water resources.

Of course, my main interest is in my own area, but as a citizen and as a Member of Congress I feel that it is up to the Congress and the executive branch to do everything we can to meet the water requirements of the Nation. We are confronted with a definite threat to the growth and development of many areas of our country.

Mr. Chairman, I thank the gentleman for yielding.

I would also like to ask the gentleman if the committee was unanimous in its support of the pending legislation?

Mr. JOHNSON of California. Yes, I do believe we were in unanimous support when the bill finally came from the full committee.

Mr. MAHON. And the committee is not, in sponsoring this legislation, endorsing or refusing to endorse any special project. This is to be an overall study which, as I understand from page 7 of the report, is not intended to represent a congressional commitment on any specific plan.

Mr. JOHNSON of California. The gentleman is correct. The understanding of the committee on the legislation is that it calls for an overall study by a very independent commission appointed by the President.



Mr. MAHON. I thank the gentleman for yielding.

Mr. JOHNSON of California. I thank the gentleman from Texas for his concern in this legislation, and I thoroughly agree with him that it is very badly needed.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I have only asked the gentleman to yield because of the point raised by the distinguished chairman of the Committee on Appropriations, and a matter I am likewise interested in, being a member of the Committee on Public Works, and that is what power, if any, is given to this National Planning Commission?

I too recognize the needed water study and programing on a nationwide basis, but what I am concerned in is the manner in which the commission might use its power over sub-paragraph 3 of section 3 on line 22 at page 3 of the bill, which says:

Advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

As I understand the answer the gentleman in the well gave to the Chairman of the Committee on Appropriations, it is not the intention, nor does this legislation give this commission the power to review specific authorized projects or projects that are under consideration for authorization to be sent to the appropriate committees of the Congress such as the Committee on Public Works and the Committee on Interior and Insular Affairs.

Mr. JOHNSON of California. The gentleman is absolutely correct. The chairman of the committee made that quite clear when he was in the well of the House during his colloquy with Congressman EDMONDSON of Oklahoma.

Mr. CRAMER. If the gentleman will yield further, for 1 additional question on the same point, do I understand, then, that the concept of this National Water Resources Planning Commission is that they are to study nationwide water problems and submit recommendations to the Congress, and perhaps interim reports as provided on page 4, recommendations upon which Congress then shall act upon or not act upon as it sees fit, and that the parties designated to the commission will not have the power to review existing projects already authorized or those being considered for authorization?

Mr. JOHNSON of California. That is correct, as I understand it. The legislation calls for the commission, when they make their interim reports or their final report to the President, at the same time to make them also to the Congress so that the Congress will be fully advised as to what the commission has recommended in its interim reports to the President or in its final report.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the chairman of the committee.

Mr. ASPINALL. Mr. Chairman, I want it definitely understood that this commission will not recommend to the Con-

gress. The commission will recommend to the President in its interim and final reports. The only recommendations that will come to the Congress will be those the executive department itself, through the President, makes.

On the other hand, if the Members of Congress wish to take the report and draft their own legislation in order to implement any recommendations of the commission, then that is their authority, of course, and their responsibility.

Mr. CRAMER. Mr. Chairman, will the gentleman yield further?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. CRAMER. I just want to make sure that the record is clear that this is a nationwide water resources commission study and that it will not be another layer on top of other existing agencies that we have to approve either presently authorized or in process of being considered, that is the specific projects, but rather nationwide and that Congress, based upon what the President recommends, will later have the opportunity to make the final decision as to what the policy should be.

Mr. JOHNSON of California. I fully agree with the gentleman and am glad that he supports the legislation.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Would the gentleman tell me what the responsibility of the water resources council is?

Mr. JOHNSON of California. The water resources council has a great responsibility. I see the chairman of the full committee on the floor who handled that legislation and I will refer your question to the gentleman, and I yield to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, this operation is in the executive departments where all of the water resources activities are to be coordinated. The heads of Federal water resource agencies—which have control over the water resources development problems and programs—are brought together for coordination.

Mr. WAGGONNER. Does the gentleman see any overlapping responsibility of the present water resources council and the national water commission which this legislation creates?

Mr. ASPINALL. Mr. Chairman, will the gentleman from California yield?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. ASPINALL. I was much concerned about this. The gentleman will find the colloquy that was had between the Secretary of Interior and his staff and myself on pages 264, 265, and part of page 266. May I add also that the gentleman from Pennsylvania [Mr. SAYLOR] was also concerned. We look at this operation as an operation by the executive department itself, representatives of the Federal departments concerned said that they would coordinate and cooperate with the existing agencies having charge of water resource activities. If there is any duplication, then I will be much disappointed. There is a possibility that it could work out that way, but we are doing our best so that it will not. This is the

executive department's approach to the water resources problem of the Nation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may consume.

(Mr. SAYLOR asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Chairman, will the gentleman yield for one question with reference to the colloquy that has just taken place?

Mr. SAYLOR. I would ask the gentleman from Iowa to withhold his question until I complete my statement because it follows very closely the questions that have been raised by our colleague, the gentleman from Louisiana.

Mr. Chairman, I rise in support of this bill for a comprehensive review of the national water resources problems programs and for other purposes.

My support of this legislation is not without some misgivings. However, I support this legislation with the hope that if it is enacted, it will bring about a comprehensive review of the problems, programs, and management of the Nation's waterway resources.

The bill proposes the establishment of a seven-man Commission appointed by the President to conduct a comprehensive review of this Nation's water policy in the light of broad national interest and its interrelated problems.

I think it is important to note at this point that we have placed a limitation upon whom the President can appoint. It is not to be anybody who is connected with any of the existing agencies at the present time and nobody who is retired from the Corps of Engineers or the Bureau of Reclamation can be appointed as a member of this Commission.

We want this Commission to take a brand new look and I hope to bring some order out of chaos because that is what exists with regard to the water problems of this country at the present time.

Ever since 1904, when President Theodore Roosevelt appointed the first commission to investigate water, there has been confusion confounded with regard to the various agencies of the Federal Government. As each agency becomes more deeply entrenched, both in civil service and in its friends on Capitol Hill and in the jurisdiction of the various committees of Congress, it becomes increasingly difficult to attack these problems on a national basis. Each agency, commission, department, and committee would rather approach every problem on a local and colloquial approach so that they might solve the little problems, but never bring themselves to realize the magnitude of the national water problem, and how their petty local approach might hinder and in fact, hurt our national water problem.

I say this because some time ago I investigated and determined that there were at that time temporary commissions of about 38 in number which were having primary responsibility in the field of water resources. There are a number of other agencies which are involved in water, and as near as I am able to determine, there are probably 50 different branches of the Federal Government involved in water and water investigation.



Mr. Chairman, at this point I would like to insert the list of agencies having to do with water:

[From the Library of Congress Legislative Reference Service, Washington, D.C.]

#### FEDERAL WATER RESOURCES AGENCIES AND COMMISSIONS

(By Theodore M. Schad, Senior Specialist in Engineering and Public Works and Elizabeth Boswell, Analyst in Conservation and Public Works)

#### INTRODUCTION

This report is prepared to provide a compilation and a brief description of the purposes and functions of all existing Federal agencies having responsibilities pertaining to water resources and temporary commissions and committees that have made studies of water resources. The report is divided into two parts.

The first part deals with the permanent Federal agencies having responsibilities in the field of water resources. These responsibilities are divided among 27 agencies in eight Cabinet departments, and eight independent agencies. In addition, three agencies operating within the Executive Office of the President exercise responsibilities in the water resources field, for a grand total of 38 agencies which have a specific responsibility on some aspect of Federal water resources activities. A number of other agencies, such as the General Accounting Office, which has the responsibility for auditing the operations of Federal water resources agencies, and therefore has a considerable group of experts having knowledge of Federal water resources activities, and the Department of Justice, responsible for legal work in connection with such activities, have not been included in the compilation, because their responsibilities are dependent on primary activity of other agencies. Likewise, agencies such as the military departments and the agencies of the General Services Administration, which engage in water resources activities such as water supply, pollution control, power generation solely for their own installations, are omitted.

The second part of this report gives a brief rundown and description of the more important temporary committees and commissions which have reviewed various aspects of water resources policy during the 20th century. A great many other committees and commissions have undoubtedly made reports which touch on this field, but only those most generally recognized as having had some impact on the field of water resources are included in the compilation.

The Congress itself, with its many committees having responsibilities for and making studies of various water resources activities, is not included except that several of the temporary committees which had a specific mission to make recommendations involving water resources policy are included in Part II.

#### PART I. PERMANENT FEDERAL AGENCIES

The Executive Branch of the Government of the United States is organized into 11 departments and a number of independent agencies. The eight departments having responsibilities in one or more areas of water resources activity are Agriculture, Commerce, Defense, Health, Education, and Welfare, Housing and Urban Development, Interior, State, and Treasury. A description of the water-related activities of these departments is included hereinafter.

The three departments not included are Justice, Labor, and Post Office. The Department of Justice has the role of representing the United States in any lawsuits involving water resources matters such as, for example, the *Arizona v. California* suit, and other legal matters involved with water resources. The Department of Labor is involved with setting wage rates for contractors on Federal water resource projects and is also interested in water resources from the viewpoint of their

effect on economic activity and the creation of jobs. Thus, in the final analysis, only the Post Office Department, among the 11 Cabinet level departments, can be considered to lack responsibilities in the field of water resources.

Activities of agencies of the Executive Office of the President and of eight independent agencies in the water resources field are discussed immediately following the Cabinet departments.

#### Department of Agriculture

The Department of Agriculture was created by act of Congress approved May 15, 1862 (12 Stat. 387; 5 U.S.C. 511, 514, 516). The major functions of the Department of Agriculture that involve water resources are aid to farmers in planning and installing erosion control and other soil and water conservation measures; water supply and sewerage facilities on farms and in rural communities; flood prevention and control works; and management of that part of the Nation's watersheds that are included in the national forests. Operating responsibilities in these fields are divided among the Agricultural Stabilization and Conservation Service, the Farmer's Home Administration, the Forest Service, and the Soil Conservation Service. Responsibilities of these agencies are described below. In addition, the Department has agencies such as Agricultural Research Service, Economic Research Service, and the Cooperative State Research Service that are engaged in, or provide funds for, research in matters relating to water resources, and the Rural Electrification Administration that has an interest in the development of hydroelectric power to supply its cooperatives. For the purposes of this report, these are not considered as having primary responsibilities in the field of water resources, although they could be listed.

#### Agricultural Stabilization and Conservation Service

The Agricultural Stabilization and Conservation Service was established June 5, 1961, by the Secretary of Agriculture to replace previous agencies which had similar functions.

The principal water-related activities of the ASCS are financial and technical assistance to individual farmers for installing needed soil, water, woodland, and wildlife conserving practices, through the Agricultural Conservation Program; and disaster relief, through direct assistance to farmers and ranchers whose supplies have been destroyed or whose farmlands have been seriously damaged by widespread flood or drought.

The Agricultural Conservation Program was authorized by the Soil Conservation and Domestic Allotment Act of 1936. Through it, the Government shares costs to farmers and ranchers in establishing permanent protective cover, conservation and disposal of water, temporary protection of soil from wind and water erosion, and emergency conservation measures in designated disaster areas to control damage from floods, hurricanes, and other natural disasters.

#### Farmers Home Administration

Farmers Home Administration operates under three principal statutes: Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1921), as amended by the Act of October 7, 1965 (79 Stat. 931); title V of the Housing Act of 1949 (42 U.S.C. 1471); and part A, title III of the Economic Opportunity Act of 1964 (42 U.S.C. 2851).

This agency provides credit, technical, and management assistance to rural groups for developing community water supply and sewerage systems, and to local organizations to help finance the non-Federal costs of watershed projects. Authority for the latter loans is contained in the Watershed Protection and Flood Prevention Act of 1954 (16 U.S.C. 1006a).

#### Forest Service

The act of February 1, 1905, transferred the national forest reserves from the Department of Interior to Agriculture, and the agency which supervises them was officially named by the Agricultural Appropriation Act of 1906 (33 Stat. 861).

In its duties of promoting conservation and best use of the Nation's forest lands, the Service manages watersheds for the regulation of streamflow, reduction of flood danger and soil erosion; and for the protection of sources of water for power, irrigation, navigation, and municipal and industrial supply. Water-based recreation is provided at lakes and reservoirs within the National Forests.

#### Soil Conservation Service

The Soil Conservation Service was established under authority of the Soil Conservation Act of 1935 (49 Stat. 163; 16 U.S.C. 590a-f). It is responsible for carrying on a national soil and water conservation program in cooperation with landowners and operators and other Federal State, and local agencies, as well as other specific water resources activities authorized by specific acts of Congress.

The water conservation aspects of the program consist of technical help to locally organized and operated soil conservation districts and to local sponsors of watershed protection projects. SCS has the responsibility for the watershed activities and river basin surveys and investigations of the Department, as well as the Great Plains soil and water conservation programs. Under the Watershed Protection and Flood Prevention Act of 1954 (68 Stat. 666; 16 U.S.C. 1001-1007), local sponsors are given technical and financial help for structural measures for flood prevention, fish and wildlife development, recreation, and agricultural and municipal water supply in watersheds up to 250,000 acres in size. Under an earlier program authorized by the Flood Control Act of 1944, SCS plans and installs flood prevention measures and practices in 11 major watersheds comprising approximately 30 million acres. River basin surveys are undertaken at the request of cooperating State or Federal agencies to serve as the base for coordinated resource development of river basin areas.

SCS also has leadership within the Department of Agriculture for establishing public recreation areas in connection with watershed projects, and make snow surveys for forecasting water supply in the Western States to provide advice to irrigation farmers and other water users.

#### Department of Commerce

The Department of Commerce has only one agency having primary responsibilities in the field of water resources. This is the Environmental Science Services Administration. The St. Lawrence Seaway Development Corporation is under the supervision of the Secretary of Commerce, but it is an independent agency. In addition, Commerce has agencies such as Business and Defense Services Administration which provide assistance to industry, including the water and sewerage industries; the Bureau of Public Roads, which has substantial responsibilities to provide technical assistance to States in connection with the drainage facilities of the national highway program; and the Bureau of Standards, which does research in hydraulics. These agencies are not listed herein as water resources agencies, although it must be recognized that the highway drainage program under supervision of the Bureau of Public Roads is one of the largest governmental programs concerned with water control.

Commerce has the unique distinction of having reduced the number of agencies involved in water resources within the last ten years through the combination of the Weather Bureau and the Coast and Geodetic Survey into Environmental Science Services



Administration. Discussion of the program of this agency follows.

#### Environmental Science Services Administration

On July 13, 1965, the merger of the Weather Bureau and the Coast and Geodetic Survey into Environmental Science Services Administration, referred to as ESSA, became effective. In October, the Central Radio Propagation Laboratory became the third element of the new agency.

ESSA's water resource related activities include worldwide weather forecasts, solutions to air and water pollution problems, warnings of floods, storms, and other hazards of nature, research on weather modification and storm re-routing, and hydrometeorological studies for the other Federal water resources agencies.

#### Department of Defense

The Department of Defense, through the civil functions of the Corps of Engineers, has the oldest and largest of the Federal water resources programs. This goes back to the year 1824, when, the engineers of the United States Army being the only body of engineers within the Federal establishment, they were given responsibility for work on rivers and harbors for navigation. Over the years, responsibilities in the fields of flood control, hydroelectric power, municipal and industrial water supply, recreation, and planning for all functions of water resources development were added by statute. The program has grown substantially in recent years to a level of over \$1¼ billion annually. The program is administratively directed by the Secretary of the Army who reports to the President on this program, through the Bureau of the Budget, without involving the Secretary of Defense.

#### Corps of Engineers: Civil Functions

The civil works function of the Corps of Engineers cover a broad water resource development program including the investigation, design, construction, and operation and maintenance of works for navigation, beach erosion control, flood control, hydroelectric power generation, water supply, water quality control, recreation, fish and wildlife preservation, hurricane protection, and related uses of water resources. The major functions are usually considered as being navigation, flood control, multiple purpose projects including power, and beach erosion control. The work is under the direction of the Chief of Engineers, and is carried out through 10 division offices, and 44 district offices scattered over the 50 States, most of which have parallel functions in the field of military construction. Special boards dealing with rivers and harbors and coastal engineering have been created within the Corps of Engineers to give technical advice, and make recommendations with respect to projects.

#### Department of Health, Education and Welfare

The Department of Health, Education and Welfare was created by Reorganization Plan No. 1 of 1953. Under provisions of the act approved April 1, 1953 (67 Stat. 18; 5 U.S.C. 623), the Plan became effective on April 11, 1953. Water resources activities of the Department are handled by the Public Health Service.

#### Public Health Service

Most of the water pollution control activities, which were the principal water resources functions of the Public Health Service, were transferred to the Federal Water Pollution Control Administration in December 1965. The new agency in turn was transferred to the Department of the Interior on May 10, 1966, under Reorganization Plan No. 2 of 1966.

The Public Health Service retains responsibilities given it under Section 301 of the Public Health Service Act (42 U.S.C. 241) in connection with public health aspects of water pollution. These responsibilities in-

clude research, investigations, experiments, demonstrations, and studies of water purification, sewage treatment, and pollution of lakes and streams as they affect public health, with particular programs involving radiological health, solid waste disposal, and interstate quarantine.

The Public Health Service also advises other Federal agencies with respect to the health aspects of inclusion of storage for streamflow regulation for water quality control in Federal reservoirs. The Public Health Service is responsible for setting standards for the quality of water utilized in interstate commerce.

#### Department of Housing and Urban Development

The Department of Housing and Urban Development was created by the act approved August 10, 1965 (79 Stat. 451). The Department is involved in problems relating to the Nation's cities and urban areas and thus is involved in urban water resources problems in the fields of water supply, sewerage, and storm drainage. These functions were carried on primarily by the Community Facilities Administration, which was created as a part of the Housing and Home Finance Agency by authority of the Administrator's Organizational Order 1, dated December 23, 1954. The functions appear to have been divided among two new agencies, under the Assistant Secretary for Metropolitan Development, which are discussed below.

#### Land and Facilities Development Administration

This agency makes grants to local public bodies and agencies to finance specific projects for basic public water facilities, including works for the storage, treatment, purification and distribution of water; and for basic public sewer facilities, other than treatment plants, in accordance with the provisions of Section 702 of the Housing and Urban Development Act of 1965 (79 Stat. 451). Under Section 1107, loans to private nonprofit corporations to finance such facilities are authorized where there is no existing public body able to construct them.

#### Office of Planning Standards and Coordination

This agency administers a program of interest-free advances to State and local public agencies for planning public works, including water and sewer facilities, under the provisions of section 702(e) of the Housing Act of 1954 (40 U.S.C. 462).

#### Department of the Interior

The Department of the Interior, created in 1849, has the widest range of responsibilities in the field of water resources, going from major construction programs for the reclamation of arid lands and multiple purpose river basin development in the West, to a massive program of grants for water pollution abatement all over the Nation, and research into the frontiers of human knowledge in the field of water. The Department's responsibilities are carried on through the activities of 15 separate agencies which will be discussed hereinafter. Supervision over the far-flung activities of these agencies is divided among five assistant secretaries, embracing the fields of Water and Power Development, Fish and Wildlife and Parks, Public Land Management, Mineral Resources, and, most recently, Water Quality. Staff assistance and advice in the field of water is provided by offices of the Department, such as the Resources Program Staff and the Office of the Science Adviser. The Departmental offices are not considered water resources agencies for the purposes of this report.

#### Office of Water Resources Research

The Office of Water Resources Research administers the program of water resources research and training authorized by the act of July 17, 1964 (78 Stat. 329; 42 U.S.C. 1961). The program promotes and supports research in water and water related resources and

activities through water resources research institutes in each of the 50 States and Puerto Rico. The Institutes are connected either with land grant colleges or an equivalent institution, and in general have a mission in water resources similar to that of the agricultural experiment stations in agriculture. Title II of the Act, which was modified and expanded by the Act of April 19, 1966, (80 Stat. 129) provides for grants and contracts for water resources research at other institutions.

#### Office of Saline Water

The Office of Saline Water was established to carry out the research program authorized by the Act of July 3, 1952, as amended and extended by the Acts of June 29, 1955, September 2, 1958, September 22, 1961, and August 11, 1965, seeking practical and economic means of transforming sea, or other saline, brackish, or mineral charged waters into water suitable for agriculture, industry, and people. The work is carried on primarily through grants and contracts with educational institutions, scientific organizations, industrial or engineering firms, individuals, and other agencies of government, for research and work on technical aspects.

The Saline Water Demonstration Act of September 2, 1958 (72 Stat. 1706; 42 U.S.C. 1958a-g) expanded the program by authorizing five demonstration plants, each using a different desalting method. Under the 1961 Act, the Secretary may ask the Congress to authorize construction of additional demonstration plants whenever he judges a new concept or method justifies it. He is also authorized to work with foreign governments, looking to the advancement of the art of desalting.

#### United States Fish and Wildlife Service

Created by the Fish and Wildlife Act of 1956 (70 Stat. 1119; 16 U.S.C. 742b), this bureau is responsible for overall policies affecting fish and wildlife. Action programs for fish and wildlife conservation are carried on by two subsidiary agencies, the Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife.

#### Bureau of Commercial Fisheries

This Bureau concerns itself with marine and inland fisheries; biological research on species, the size of fish resources, their decline or increase, and the development and conservation of commercial fishery resources. Since the habitat of fish is water, this bureau is concerned with water quality and water adequacy. It coordinates its activities with State agencies in interstate waters and with Federal agencies on water projects of Federal agencies, and with non-Federal agencies operating under Federal licenses, to insure economic management and conservation of the fishery resources of all the coasts of the United States as well as the Great Lakes and other inland waters.

#### Bureau of Sport Fisheries and Wildlife

This Bureau works to insure the survival and growth of the Nation's wild birds, mammals, and sport fish for their recreational and economic value. Wetlands, sanctuaries near water, and such other provisions tie the work of this Bureau to water resources activities. In the river planning programs, the Bureau examines the effects on fish and wildlife that could result from Federal water use projects, and from projects of public and private groups operating under Federal license. The Fish and Wildlife Coordination Act, the Federal Power Act, and the Watershed Protection and Flood Prevention Act authorize the Bureau to be in on the planning.

#### Bureau of Indian Affairs

This agency is responsible for irrigation, drainage, and other water resources activities in connection with Indian Reservations. It plans, constructs, operates, and maintains water resource projects, and provides technical assistance to the Indians, toward the



end of making them economically self-sufficient.

Some of its major work, such as the Navajo Indian Irrigation Project, is performed by the Bureau of Reclamation.

#### Geological Survey

The Geological Survey was established by the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and its functions were expanded by subsequent authorizations. The early work of the Survey involving water resources included classifying lands available for irrigation, identifying hydroelectric power sites, stream gaging and determining the water supply of the United States, making topographic maps, and doing chemical and physical research involving water.

The Survey determines the source, quantity, quality, distribution, movement, and availability of both surface and ground waters. It investigates floods and droughts, their magnitude, frequency, and relation to climatic and physiographic factors. It studies and reports on such matters as water requirements for industrial, domestic, and agricultural purposes, the physical and chemical quality of water resources, and the relation of water quality and suspended sediment load to various aspects of water resources development. It makes special hydrologic studies of the interrelationships between climate, topography, vegetation, soils, and water supply. It gives scientific and technical assistance in hydrologic fields to other Federal agencies. It coordinates the national water data acquisition work of Federal agencies. The Survey furnishes engineering supervision for certain Federal power permits and licenses.

#### Bureau of Land Management

The Bureau of Land Management was created on July 16, 1946, through the consolidation of the General Land Office (1812) and the Grazing Service (1934) in accordance with the provisions of sections 402 and 403 of the President's Reorganization Plan of 1946 (5 U.S.C. 133y-16). Its primary function is to administer resources involved in about 800 million acres of Federal lands, of which it has exclusive jurisdiction over 477 million acres. The primary aspects of the Bureau's activities which touch on water are in connection with fish and wildlife conservation, use of public lands for hydroelectric power purposes, outdoor recreation, watershed protection and management, and wilderness protection.

The watershed management program is involved with the conservation, development, and use of water in preserving and protecting soil and water resources. It combines land treatment with regulation of surface water runoff to control erosion and to stabilize soil.

The recreation and wildlife responsibilities include maintenance of recreation facilities, water runoff to control erosion and to stabilize soil.

Hydroelectric power responsibilities are exercised through the Federal Power Commission under the Federal Power Act.

#### National Park Service

The National Park Service was established by the act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1). There have been subsequent acts, executive orders, and proclamations that have added to the National Park System and therefore have expanded the work of the National Park Service.

The Service has the primary duty of preserving the scenery and natural and historic objects and wildlife of national parks, monuments, and similar reservations. In providing areas for public enjoyment and to protect the resources of areas under its jurisdiction, the National Park Service is concerned with preventing stream pollution and other man-made detractions from the beauty of these areas.

#### Bureau of Outdoor Recreation

The Bureau was created to promote coordination and development of programs for outdoor recreation (Act of May 28, 1963, 16 U.S.C. 4601). The Bureau reports to the Assistant Secretary—Public Land Management and does the work prescribed in the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601-4). The latter Act provides for a program of financial assistance grants to States for planning, acquiring, and developing outdoor recreation facilities. Water-based recreational sites are an important part of this program.

#### Bureau of Reclamation

The Reclamation Act of 1902 (32 Stat. 388; 43 U.S.C. 371 et seq.) authorized the Secretary of the Interior to locate, construct, operate, and maintain works for the storage, diversion, and development of waters for the reclamation of arid and semiarid lands in the Western States. In June 1923, the Secretary created the position of Commissioner of Reclamation and established the Bureau of Reclamation to carry out his functions under this Act.

The water resource related functions of the Bureau, carried on with other Interior Department bureaus and other Federal agencies, States, and local groups, include transforming arid and semiarid lands into productive farms through irrigation; providing supplemental water for lands already irrigated; developed and administering repayment arrangements with water users; transmitting and selling or exchanging electric power generated at Bureau projects and certain other reservoir projects not under the Bureau's control; reducing flood runoff; producing maximum economical production of hydroelectric power and energy consistent with established priorities governing the impoundment and release of water for other purposes; regulating rivers; improving navigation; providing water for municipal, domestic, and industrial use on a repayment basis; conserving fish and wildlife; abating sedimentation, salination, and pollution of streams and other water courses; and providing new or improved recreational facilities.

#### Bonneville Power Administration

Bonneville Power Administration was created pursuant to the act of August 20, 1937 (50 Stat. 731, as amended; 16 U.S.C. 832 et seq.) to market power produced at Federal hydroelectric powerplants in the Pacific Northwest. Its regionwide interconnecting transmission system is being extended as far as southern California by means of the high-voltage Pacific Northwest-Southwest intertie. The generating projects themselves are constructed and operated either by the Corps of Engineers of the Bureau of Reclamation, but BPA operates the dispatching center which divides the load among the several plants, thus having a direct role in the operation of the system.

#### Southwestern Power Administration

The Southwestern Power Administration was created by the Secretary of the Interior in 1943, to carry out the Secretary's responsibility for the sale and disposition of electric energy generated at hydroelectric powerplants operated by the Federal government in the southwestern States of Arkansas, Missouri, Oklahoma, and Texas. These functions are assigned to the Secretary by the Flood Control Act of 1944 (58 Stat. 890; 16 U.S.C. 825s).

Because of its involvement with hydroelectric power, SWPA participates with other Federal and non-Federal agencies in the comprehensive planning of water resources developments in the southwest; and in scheduling of operation of the plants from which it markets power.

#### Southeastern Power Administration

The Southeastern Power Administration was created by the Secretary of the Interior in 1950 to handle transmission and disposition of electric power from Federal hydroelectric power plants in the southeastern States, under the same provisions of the 1944 Flood Control Act which apply to Southwestern Power Administration. SEPA's operations are confined to the States of West Virginia, Virginia, North and South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, and Kentucky. Its water resources activities involve planning for comprehensive development of water resources and operation of Federal hydroplants.

#### Federal Water Pollution Control Administration

This agency was created by the Water Quality Act of 1965 (Public Law 89-234) approved October 2, 1965, to administer the Federal Water Pollution Control Act (33 U.S.C. 466), formerly handled by the Public Health Service. The agency was transferred to the Department of the Interior by Reorganization Plan No. 2 of 1966, effective May 10, 1966.

Under the Federal Water Pollution Control Act the Federal government makes grants to State and interstate agencies to help meet costs of establishing and maintaining measures for the prevention and control of water pollution; to public agencies and institutions and also to private agencies, institutions, and individuals on the basis of specific applications for research and training, investigations, and demonstrations in the field of water pollution control; to States or municipalities for development of projects to demonstrate new or improved methods of controlling the pollution from storm sewers or combined storm and sanitary sewers; and to States or municipalities of up to 30 percent of the cost of constructing sewage treatment plants, with a limitation of \$1,200,000 for any one municipality, or \$4,800,000 for projects serving four or more municipalities.

The Act also provides for enforcement measures to reduce pollution of interstate or navigable waters, including establishment of quality standards, conferences, and recommendations to State water pollution control agencies for remedial action to reduce or prevent pollution of interstate or navigable waters. Where action does not follow, the Secretary may request the United States Attorney General to institute lawsuits.

The Act also establishes a Water Pollution Control Advisory Board, with members appointed by the President from outside the Federal government.

#### Department of State

The Department of State becomes involved in water resources because of the boundary waters of the United States. As a result of the treaty of 1909 with Great Britain, and various treaties with Mexico dating back to 1889, the International Joint Commission and the International Boundary and Water Commission, respectively, have been created to deal with water resource problems on our northern and southern boundaries.

#### International Boundary and Water Commission—United States and Mexico

The United States section of the International Boundary and Water Commission is the Federal agency created to carry out the responsibilities of the United States under the treaties of March 1, 1889, and subsequent treaties of 1905, 1933, and 1944. The United States Section also operates under certain congressional acts of 1935, 1936, and 1950.

Principal water related activities of the Commission deal with construction, operation and maintenance of the diversion dams, storage reservoirs, hydroelectric plants, and flood control works along the Rio Grande where it forms the boundary between the



United States and Mexico, and flood control works along the lower Colorado River in the vicinity of the international boundary. Among other major projects, the International Boundary and Water Commission operates and maintains the Falcon and Amistad dams, reservoirs and power plants, the Lower Rio Grande Flood Control Project, and the Rio Grande Rectification and Canalization Project in the vicinity of El Paso, Texas. Other responsibilities relating to water are involved wherever other streams cross the boundary between the United States and Mexico, and at certain border communities. In such cases, the Commission may become involved in a wider range of activities relating to water, including pollution abatement and water supply.

#### International Joint Commission—United States and Canada

The International Joint Commission was organized in 1911, pursuant to the treaty of January 11, 1909, between the United States and Great Britain. The purpose of the Commission is to prevent disputes regarding the use of boundary waters, and settle questions that arise between the United States and Canada involving rights, obligations, or interests of either, in waters along the boundary. The Commission has jurisdiction over all cases involving use, obstruction or diversion of boundary waters between the United States and Canada and also waters flowing from boundary waters and waters at a lower level than the boundary in rivers flowing across the boundary. Approval of the Commission is required for the construction and maintenance of any works that change the natural level of boundary waters.

The International Joint Commission is not an action agency, but operates through making reports and recommendations to the two governments dealing with such international water resource problems as the Niagara Falls beautification, Passamaquoddy tidal power project, pollution of the Great Lakes, and control of water levels of the Great Lakes.

#### Treasury Department

The Treasury Department becomes involved in water resources through its supervision of the United States Coast Guard.

#### United States Coast Guard

The United States Coast Guard is a semi-military agency which becomes involved in water resources development through its responsibility for provision of aids to navigation in inland and coastal waterways. Thus, all reports of the Corps of Engineers recommending improvement of navigation facilities are required to include a section dealing with aids to navigation based on studies by the Coast Guard, and the Coast Guard generally constructs, operates, and maintains such aids to navigation.

#### Executive Office of the President

Several agencies of the Executive Office of the President become involved in water resources through carrying out the President's responsibilities for supervision and control of all Federal activities in this field. The three agencies which appear to have primary responsibilities in water resources are the Bureau of the Budget, the Office of Science and Technology, and the Office of Emergency Planning. The water functions of these agencies are described hereinafter. In addition, such agencies as the Council of Economic Advisors and the White House office become involved in matters relating to water, but are not considered as water resources agencies for the purpose of this report.

#### Bureau of the Budget

In addition to the budgetary and legislative responsibilities which have been assigned to the Bureau of the Budget, this agency has been charged under Executive Order 9384 with reviewing all projects proposing construction, operation, or maintenance of water resources facilities. Under this order, the comments of the Bureau of the Budget are

required to be obtained prior to the transmittal to Congress of any report proposing Federal participation in such activities. The project review function is handled in the Resources and Civil Works Division of the Bureau of the Budget.

#### Office of Science and Technology

This agency serves as staff for the President's Science Advisor, the President's Science Advisory Committee and the Federal Council for Sciences and Technology. The latter organization was established by Executive Order 10807, dated March 13, 1959, to promote closer cooperation among Federal agencies in matters relating to science and technology. It consists of representatives of the Federal departments and agencies concerned with these fields, and has assumed responsibility in the field of water resources through the establishment of inter-agency committees such as the Committee on Water Resources Research, and the Committee on Atmospheric Sciences. In providing a chairman and staff for such committees, the Office of Science and Technology is considered to be a water resources agency for the purpose of this report.

#### Office of Emergency Planning

This office is charged with the responsibility of planning for the overall management of resources, including water, in periods of emergency, and, also, with laws relating to Federal assistance in natural disasters, including flood emergencies. The agency works to coordinate the activities of other agencies which carry out the actual field work. In the case of flood emergencies, this is handled primarily by the Corps of Engineers.

#### Independent agencies

##### Appalachian Regional Commission

Established by Appalachian Regional Development Act of 1966 (79 Stat. 5; 40 U.S.C. App. 1) to develop plans for and coordinate comprehensive programs for regional economic development authorized by the act.

Among the development programs authorized are those for erosion control measures, reclamation of land and water damaged by strip mining, operation of a comprehensive water resources survey, construction of sewage treatment facilities. The comprehensive water resources survey is being accomplished through the Corps of Engineers.

##### Atomic Energy Commission

The AEC was established by the Atomic Energy Act of 1946 (60 Stat. 755) as amended by the Atomic Energy Act of 1964, as amended (68 Stat. 919; 42 U.S.C. 2011 et seq.).

The principal purpose of the Atomic Energy Commission is to provide under national policy for the development, use, and control of atomic energy. Its primary responsibilities involving water relate to the control of radioactive emissions in such a way as to prevent danger to public health, and, in recent years, investigations and research looking to construction of combined desalting and power generation plants.

##### Delaware River Basin Commission

Created by a Federal-Interstate Compact among the U.S. Government and the States of Pennsylvania, New Jersey, New York, and Delaware, consented to by Act of September 27, 1961 (75 Stat. 688), the Delaware River Basin Commission is a Federal-State agency, chaired by the Secretary of the Interior.

Commission is responsible for development and approval of a comprehensive plan and for programming, scheduling, and controlling projects and activities, within the Delaware River Basin, which will provide effective flood damage reduction; conservation and development of ground and surface water supplies for municipal, industrial, and agricultural uses; development of recreational facilities in relation to reservoirs, lakes, and streams; propagation of fish and game; promotion of related forestry, soil conservation, and watershed projects; protection and aid to fisheries

dependent upon water resources; development of hydroelectric power potentialities; improved navigation; control of movement of salt water; abatement and control of stream pollution; and regulation of stream flows to attain these goals.

#### Federal Power Commission

An independent agency created by the Federal Water Power Act of June 10, 1920 (41 Stat. 1063; 16 U.S.C. 791-823) to investigate water and power development of the rivers of the United States and to issue licenses for non-Federal development thereof. Additional responsibilities have been assigned under other legislation and by Executive Order.

The FPC regulates the issuance of licenses for construction and operation of non-Federal hydroelectric power projects on public lands or on navigable waters of the United States. The Commission studies plans for proposed dams to be constructed by the Department of the Army, the Department of the Interior, or other Federal agencies, and makes recommendations concerning the installation of facilities for the development of hydroelectric power. It determines and assesses headwater benefit charges against the owner of any non-Federal water power project directly benefited by upstream improvements constructed by the United States, its licensees or permittees.

#### National Science Foundation

Created by the National Science Foundation Act of 1950 (64 Stat. 149; 42 U.S.C. 1861-1879), the fundamental purpose of the NSF is to strengthen basic research and education in the sciences in the United States. Among the Foundation's activities involving water are the program of research and development in weather modification, grants and contracts to universities and other nonprofit organizations to support the construction of laboratories or specialized facilities in water science, and grants for research into water related sciences. It supports the National Center for Atmospheric Research, and provides fellowships and traineeships to graduate students in engineering, including sanitary and hydrologic engineering.

#### Saint Lawrence Seaway Development Corporation

The Seaway Corporation is an independent agency under supervision of the Department of Commerce. It is authorized to construct, maintain, and operate in U.S. territory deep water navigation works in the International Rapids section as well as necessary dredging in the Thousand Islands section of the Saint Lawrence River.

It was established by the Act of May 13, 1954 (68 Stat. 92; 33 U.S.C. 981) and works in close coordination with the St. Lawrence Seaway Authority of Canada in maintaining and operating the St. Lawrence Seaway. Its activities are coordinated with the Hydroelectric Power Commission of Ontario, and the Power Authority of the State of New York, which have constructed and operate power facilities in connection with development of the St. Lawrence.

#### Tennessee Valley Authority

The TVA is a corporation created by the Act of May 18, 1933 (48 Stat. 58; 16 U.S.C. 831-831dd). The statute provides for the development of the Tennessee River and its tributaries for navigation, flood control, and the generation and disposition of hydroelectric power.

#### Water Resources Council

Title I of the Water Resources Planning Act of 1965 (Public Law 89-80 July 22, 1965) established the Water Resources Council as a cabinet-level agency, composed of the Secretaries of Agriculture, Army, Health, Education, and Welfare, and Interior and the chairman of the Federal Power Commission. The Council has primary responsibilities for continuing studies and periodic assessments of the adequacy of water supplies in the United States, for maintaining a continuing



study of the relation of regional or river basin plans to the requirements of larger regions of the Nation, for appraising adequacy of Federal programs, and for making recommendations to the President with respect to Federal policies and programs.

The Council is to establish principles, standards, and procedures for Federal participation in the preparation of comprehensive regional or river basin plans, and for the formulation and evaluation of Federal water and related land resource projects.

#### PART II. TEMPORARY COMMITTEES AND COMMISSIONS

Federal involvement in the field of water resources has been a subject of controversy for more than a hundred and fifty years, and for at least that long has been the object of study by numerous special commissions and committees created for that sole purpose. Numerous other commissions and committees created for the purpose of fostering efficiency in government have seized on water resources as a fruitful field for improvement of governmental policies and procedures. This section lists and describes briefly 25 of the more important of these groups, starting with those created during the conservation movement which flowered during the first decade of the twentieth century.

Coverage is limited to bodies created by Presidential or congressional action to function during a limited period of time. Thus, standing committees of Congress, and coordinating committees such as the Federal Interagency Committee on Water Resources, and the continuing field Inter-Agency River Basin Committees are omitted, even though many of these groups have made important studies in the field of water resources.

More complete information on the committees and commissions through 1959 is contained in Committee Print No. 2, Senate Select Committee on National Water Resources, October 1959, which summarizes the circumstances surrounding the various bodies and their recommendations in a 46-page document.

##### *Inland Waterways Commission*

This Commission was appointed by President Theodore Roosevelt on March 14, 1907, to look into and prepare a report on a comprehensive plan for the improvement and control of the river systems of the United States. The Committee, which consisted of two members of the House of Representatives, two Senators, and five experts from agencies of the Federal government involved with water resources, made reports on subjects including navigable waters and canals of the United States, commerce among the States, industrial water supplies, hydro-electric power, relation of water conservation to flood prevention and navigation, the general relation between forests and streams, and other subjects involved with comprehensive water resource development.

These reports and the recommendations of the Committee were issued on February 3, 1908, and published as Senate Document 325, 60th Congress, 1st Session.

##### *National Conservation Commission*

The National Conservation Commission consisted of four groups of 12 experts each in the fields of water, forests, lands, and minerals, appointed by President Roosevelt to make an inventory of the natural resources of the United States in cooperation with the Executive departments of the government, State officers, and national organizations. The Commission operated under authority of Executive Order No. 809, dated June 8, 1908, and its nine-man executive committee was under the chairmanship of Gifford Pinchot, who was then Secretary of the Interior.

The three-volume report of the National Conservation Commission was completed on January 22, 1909, and printed as Senate Document 676, 60th Congress, 2d Session. It ad-

vocated a vigorous policy of conservation and gave added recognition to the interrelationship of the various uses of water.

##### *National Waterways Commission*

The National Waterways Commission was established by the River and Harbor Act of March 3, 1909 (25 Stat. 815). It consisted of five Senators and seven members of the House of Representatives, and was assigned the duty of investigating questions pertaining to water transportation and the improvement of waterways, and making recommendations to Congress thereon.

The preliminary report of the Commission was submitted in January 1910, and the final report in 1912. The two reports were published as Senate Document 469, 62nd Congress, 2d Session. The recommendations covered numerous specific navigation proposals as well as general recommendations dealing with control of public terminals, the practicability of flood control reservoirs, the influence of forests upon navigability of streams, and the need for legislation for the development and control of water power.

##### *Waterways Commission*

The Rivers and Harbors Act of August 8, 1917 (40 Stat. 250), created a Waterways Commission to consist of seven members to be appointed by the President of the United States, at least one of which was to be chosen from the Engineer Corps of the Army, one to be an expert hydraulic engineer from civil life, and the remaining five to be either from civil life or the public service.

The purpose of the Commission was to bring into coordination and cooperation the engineering, scientific, and constructive services, bureaus, boards, and commissions of the several governmental departments of the United States, and commissions created by Congress that related to study, development or control of waterways and water resources, and subjects related thereto.

Senator Newlands, principal proponent of the Waterways Commission, died shortly after the legislation to create it was enacted, and the members of the Commission were never appointed by the President. The language creating the Commission was expressly repealed in the Federal Water Power Act of 1920.

##### *Joint Committee on Reorganization of the Executive Departments*

This Committee was created under a joint resolution adopted December 17, 1920 (S.J. Res. 191, 66th Congress), and amended by a joint resolution approved May 5, 1921 (S.J. Res. 282, 67th Congress). The Committee consisted of two Senators and two members of the House of Representatives and one representative of the President.

The Joint Committee considered recommendations made by President Harding, and made recommendations for reorganization of the Government, including reorganization of the Executive departments dealing with water resources. The recommendations are printed as House Document 356, 68th Congress, 1st Session.

##### *President's Committee on Water Flow*

President Franklin D. Roosevelt's Committee on Water Flow consisted of the Secretaries of the Interior, War, Agriculture, and Labor, who were requested by the President to report on a comprehensive plan for the improvement and development of the rivers of the United States, with a view to giving Congress information to provide guidance for legislation which would provide for the maximum amount of flood control, navigation, irrigation, and development of hydro-electric power. The report was to be made in response to resolutions adopted February 2, 1934, by the Senate and the House of Representatives (Senate Resolution 164 and House Resolution 248, 73d Congress, 2d Session).

The report of this Committee was made on June 4, 1934, and issued as House Document

395, 73d Congress, 2d Session. The Committee selected 10 drainage basins for projects for further development of comprehensive plans, and recommended that it be allowed to continue to function in order to develop more specific plans.

##### *Mississippi Valley Committee of the Public Works Administration*

This Committee was created to make a plan for the use and control of water within the Mississippi River drainage basin. The Committee consisted of two members from the Corps of Engineers, including the Chief of Engineers, and seven experts in various fields of resource conservation.

The Committee made its report on October 1, 1934, with specific recommendations on the various river basins in the Mississippi Valley, and called for consideration of the interrelated interests of the entire Mississippi River system.

##### *National Resources Board—Water Planning Committee*

The National Resources Board was created on June 30, 1934, by Executive Order No. 6777. It consisted of five of the Cabinet Secretaries, the Federal Emergency Relief Administrator, and three other members from outside the Government. The Water Planning Committee consisted of eight experts in this field, with the assistance of an executive engineer and a secretary.

The National Resources Board's report dealing with water resources was submitted to the President on December 1, 1934, and proposed the establishment of a permanent water planning section to assemble basic data, to proceed rapidly with constructive programs for water resource development, making full use of existing public agencies, and to investigate water pollution in all its phases.

##### *National Resources Committee—Water Resources Committee*

The National Resources Committee was organized in June 1935, under Executive Order 7065, which reconstituted the National Resources Board. The Water Resources Committee consisted of 12 water experts, including the heads of various Federal agencies involved with water resources.

The Water Resources Committee made reports on drainage basin development in 1936 and 1937. The recommendations and a summary of the 1936 drainage basin report were included in House Document 140, 75th Congress, 1st session, issued February 3, 1937.

The Water Resources Committee made 10 other reports before it was succeeded by the National Resources Planning Board.

##### *Select Committee To Investigate the Executive Agencies of the Government*

Senate Resolution 217 of the 74th Congress, adopted on February 24, 1936, created a Senate Select Committee to investigate the Executive agencies of the Government. Membership of the Committee consisted of five Senators under the chairmanship of Senator Byrd of Virginia.

The Select Committee ordered studies undertaken by the Brookings Institution, looking to the reorganization of the Executive agencies of the Government in a more functional manner. Chapter 6 of the report dealt with Government activities in the field of public works and water resources, and proposed some major changes, including the establishment of a Department of Transportation, and the removal of the water resources functions of the Corps of Engineers from the War Department.

The report of the Brookings Institution was issued as Senate Report No. 1275 of the 75th Congress.

##### *President's Committee on Administrative Management*

This Committee was created by the President, and it made a report to him on January 8, 1937, which was printed as Senate Document No. 8, 75th Congress, 1st Session.



The three-member committee, appointed by the President, with Louis Brownlow as Chairman, made recommendations for sweeping reorganization of the Government, to include 12 major executive departments, including one for conservation and one for public works. This would have involved major reorganization of the water resources activities of the Federal Government.

#### *National Resources Planning Board*

This agency was created by Reorganization Plan No. 1, effective July 1, 1939, under a resolution of approval dated June 7, 1939, to plan for the development and utilization of the natural resources of the Nation. The Board made numerous reports on various phases of water resources, continuing the work started by the National Resources Board and National Resources Committee in this field. It was abolished by the Act approved June 26, 1943, effective August 31, 1943.

#### *Commission on Reorganization of the Executive Branch of the Government (First Hoover Commission)*

The First Hoover Commission was created by the Act of July 7, 1947, to make recommendations to Congress looking to the promotion of economy, efficiency, and improvement of service in the transaction of the public business in the Executive Branch of the Government. The Hoover Commission had task forces on natural resources, water resource projects, and public works, each of which made reports involving water resources.

Numerous recommendations involving water resources activities of the Federal Government were included in the final recommendations of the Commission on the Department of the Interior, published as House Document 122, 81st Congress, 1st Session, March 17, 1949.

#### *President's Water Resources Policy Commission*

President Truman created a Water Resources Policy Commission on January 3, 1950, under the terms of Executive Order 10,095. The Commission consisted of seven members from private life, under the chairmanship of Morris L. Cooke, a consulting engineer.

The report of the Cooke Commission, issued in December 1950, contained more than a hundred recommendations for the improvement of national water resources policies. Two additional volumes issued by the Commission covered plans for development of water resources of ten rivers and a review of water resources law.

#### *President's Materials Policy Commission*

President Truman created a Materials Policy Commission, chaired by William S. Paley, on January 22, 1951, to study the broader and longer range aspects of the Nation's materials problems.

The five-member Commission submitted a report on June 2, 1952, which included consideration of water resources as a material needed for industry.

#### *Arkansas-White and Red Basins Inter-Agency Committee*

This Committee was created by President Truman to make the study of the water resources of these river basins authorized by the Flood Control Act of 1950. The Committee included members from the Federal departments involved in water resources, and representatives of the States of the basin, under chairmanship of the Department of the Army.

The Committee's report, published as Senate Document No. 13, of the 85th Congress, 1st Session, January 30, 1957, laid out a framework plan for development of the water resources of the basin. Following completion of this report, the Committee was disbanded, but another committee having the same name was subsequently established.

#### *New England-New York Interagency Committee*

This Committee likewise was created by President Truman to conduct a study authorized in the Flood Control Act of 1950. Its membership was similar to that of the Arkansas-White-Red Basins Committee.

The report of the Committee was published as Senate Document No. 14, 85th Congress, 1st Session, January 30, 1967, following which the Committee was disbanded.

#### *Subcommittee To Study Civil Works, House of Representatives, 82d Congress*

This Subcommittee, usually referred to as the Jones Committee after its chairman, Congressman Robert E. Jones of Alabama, was created by resolution adopted by the House Committee on Public Works on August 20, 1951, to study policies, practices, and procedures, in connection with the water resources program of the Corps of Engineers.

The Subcommittee's reports were dated December 5, 1952, and were published as Committee Prints, numbered 21 through 24, of the House Committee on Public Works, 82nd Congress, 2nd Session. The reports contained numerous recommendations for modification of water resources policy.

#### *Missouri Basin Survey Commission*

This Commission was created under the terms of Executive Order 10318 on January 3, 1952. It was composed of 11 members appointed by the President, including three Senators and three members of the House of Representatives.

The report of the Commission, entitled "Missouri, Land and Water," was published in January 1953, and included numerous recommendations for improvement of water resources activities in the Missouri Basin as well as for general improvement of water resources policies all over the country.

#### *Commission on Intergovernmental Relations*

This Commission, sometimes known as the Kestnbaum Commission, was created by Act of July 10, 1953, to review the relationships between Federal, State, and local levels of government in the United States.

The Commission's report was submitted to Congress in June 1955, including a section on natural resources and conservation which made numerous recommendations for the improvement of policies for dealing with water resources.

#### *Commission on Organization of the Executive Branch of the Government (second Hoover Commission)*

The second Hoover Commission was created by Act dated July 10, 1953, with a membership of 12, including two Senators and two members of the House of Representatives. The Commission appointed a task force on water resources and power which made an exhaustive study of water problems and submitted its own three-volume report containing numerous recommendations for changes in water resources policy.

The recommendations of the second Hoover Commission's own report on Water Resources and Power differed from those of the Task Force report in numerous respects. It was published as House Document 208, 84th Congress, 1st Session, June 30, 1955.

#### *Presidential Advisory Committee on Water Resources Policy*

President Eisenhower established his own committee on Water Resources Policy by letter dated May 26, 1954. The Committee, sometimes referred to as PACKRAT, consisted of the Secretaries of Agriculture, Defense, and Interior, under the chairmanship of the latter, and with participation from time to time of other government officials.

The Committee's report, transmitted to Congress on January 17, 1956, and published as House Document 315, 84th Congress, contained eight major recommendations for revision of water resources policy.

#### *Texas Basin Study Commission*

The United States Study Commission—Texas was created by Public Law 85-843, approved August 28, 1958, to prepare a plan for development of land and water resources in the Neches, Trinity, Brazos, Colorado, Guadalupe, San Antonio, Neuces, and San Jacinto Rivers in Texas. Membership on the Commission consisted of a chairman and representatives, appointed by the President, from each of the river basins and of each of the major Federal agencies involved in water resources development.

The Commission's plan was completed March 31, 1962. The report, in 4 volumes, was published as House Document 494, 87th Congress, 2d Session.

#### *Southeast Basins Study Commission*

The United States Study Commission—Southeast River Basin was created by Public Law 85-850, approved August 28, 1958, to prepare a plan for the development of the land and water resources of the southeastern river basins from the Perdido to the Savannah Rivers, inclusive. Membership on the Commission included a chairman from the region, and representatives appointed by the President from the four States involved and the six major Federal agencies involved in water resources activities in the area.

The Commission's 12-volume report was completed on June 19, 1963, and transmitted to the President. It was published as Senate Document 51, 88th Congress, 1st Session, and contains the plan formulated by the Study Commission.

#### *Senate Select Committee on National Water Resources*

This Committee, chaired by the late Senator Robert S. Kerr, was created by Senate Resolution 48 of the 85th Congress, adopted April 20, 1959, to make studies of the extent to which water resources activities are related to the national interest, and of the extent and character of such activities required to provide for future needs of population, agriculture, and industry, as well as to provide for recreational and fish and wildlife values. Seventeen Senators were on the Committee.

The Committee held hearings all over the country and commissioned 32 studies of all aspects of water resources activities, most of which were made by the Federal agencies involved in water resources. On the basis of the information thus assembled, the Select Committee made a report and recommendations for improvements of national water resources policies that would enable the job to be done. The Committee's report is published as Senate Report 29, 87th Congress, 1st Session, January 30, 1961.

Mr. Chairman, something must be done to cut down this overlapping and duplication of programs involving our Nation's water suppliers.

It is for this reason and with the optimism of hope that I support this legislation. I have the feeling that if it does its job, if it is created objectively by the President with men who are eminently qualified and gets into business promptly and acts within the time specified, it will cease to exist within 5 years, having made its recommendations to the President. If it carries out its mandate, order will be brought out of the chaos that exists in the field of water resources.

It is for this reason that I support this legislation, and if the Commission will consider the economic and social consequences of water resource development on regional and economic growth, the institutional arrangements and esthetic values affecting the quality of life in America, then it will have done a good job.

A statement of the Honorable Maurice



G. Goddard, secretary of forests and waters of the Commonwealth of Pennsylvania, on the flow of tax dollars for water, illustrating some of the economic and sociological problems interrelated with the water resources development policies of these United States, follows:

#### THE EAST SPEAKS

(Statement of the Honorable Maurice G. Goddard, Secretary of Forests and Waters, Commonwealth of Pennsylvania, at the American Society of Civil Engineers Denver Water Resources Engineering Conference, Denver, Colo., May 16-20, 1966)

The Eastern water administrator of the past decade can well sympathize with the plight of the high school basketball coach when the opposing team effectively freezes the ball in the closing moments of the championship game, and his team is only a few points behind.

He knows that no amount of complaining to the referee will force the other team to release the ball, and consequently, the only action he can take, however ineffective it might be, is to jump up and down on the bench, rage at both his own team and the opposition, and pray.

That is exactly my position on this panel today.

I am jumping up and down on the bench, raging at both my own team and the opposition, and brother, am I ever praying that we will get our hands on the ball in time to give my team a fighting chance.

The ball I am talking about is, of course, that slice of the tax dollar that the Federal Government spends each year to develop this country's water and related land resources.

For many, many years, we Easterners have contributed the major portion of it, and, in proportion to the size of our contribution, we have received very little in return.

If you doubt this, take a look sometime at a map showing the major dams and reservoirs in the United States, and you will understand what I mean. Eliminate the TVA reservoirs, and see what's left for the rest of the East—virtually nothing!

Seven years ago, Walter B. Langbein of the U.S. Geological Survey<sup>1</sup> pointed out that reservoir storage was greatest in the sparsely populated Colorado River Basin and lowest in the populous Ohio River Basin.

He also noted that only 1% of the total flow of the Ohio River, excluding the Tennessee and Cumberland Rivers, was regulated. With the completion of the Glen Canyon Reservoir, about 58% of the Colorado's flow was regulated. These figures, incidentally, do not include regulation by flood-control reservoirs.

In his conclusions, Mr. Langbein stated that "There is a limit to the amount of storage that can be useful. The Colorado River Basin is an example of a river basin where storage development may be approaching, if not exceeding, the useful limit. The prospect of a shift in emphasis toward water supply for towns and factories sharpens the need for added development of storage in the populated regions of the country."

To which, I say "Amen!"

Now, let's carry our comparison a little further—the State of Colorado has a land area of approximately 104,000 square miles, over twice that of the Commonwealth of Pennsylvania, and a population of about 1,750,000. Allegheny County in Western Pennsylvania has a land area of 730 square miles and almost the same population.

The State of Montana has a land area of

over 147,000 square miles, more than three times that of Pennsylvania, and a population of about 700,000. Little Delaware County in Eastern Pennsylvania has a land area of 185 square miles, with a population of almost 600,000.

Just think of it—two little Pennsylvania counties virtually matching two largest Western states in population on 4 to 1% of the land area.

Per capita income in Allegheny County is roughly equal to per capita income in Colorado, and they have almost the same population. Montana has about 100,000 more people than Delaware County but per capita income in Delaware County is approximately \$900 higher.

What does this mean in terms of the tax dollar? Simply this—the citizens of two of Pennsylvania's sixty-seven counties are contributing just about the same amount as the citizens of Colorado and Montana with little or no return insofar as Federal expenditures for water development are concerned.

The people of Pennsylvania contributed some 7.6 billion dollars in taxes to the Federal treasury last year. Add the contributions of the rest of the populous Eastern states; take another look at the map to refresh your memories as to where the major water development projects are located; and you will begin to understand what I am driving at—the money is being spent where the people aren't and with too little benefit to those who contributed the major portion!

We, in the East, understand how this came about, and we are not against *necessary* water development in the Western states. Note that I emphasized the word "necessary", for what you consider necessary and what we consider necessary are apparently two quite different things as you will see shortly.

For many years in the past, we did not question what was going on—we knew that the Western states were not blessed with our abundant rainfall, and consequently, must develop storage capacity and distribution systems to make the most of what they had.

When, in the past few decades, we did begin to analyze our own water situation and discovered that, faced with massive pollution problems and inadequate storage, we would be in dire trouble within the next twenty years, we naturally began to pay greater attention to what was being done with the Federal water development dollar in the West.

The more we looked, the more we began to wonder, and the more we began to wonder, the more we became amazed at what we saw!

I don't say your whole Western water development program is a "boondoggle." Some of your huge projects are undoubtedly necessary to harness available supplies and are being put to good use. On the other hand, part of your program is wasteful, because some of your stored water could be put to better and more economical use.

You have chosen to base most of your economy on irrigation—90% of the water you use is irrigation water. The Great Western Dream appears to be a dream of making the deserts and arid areas bloom by bringing water to them regardless of cost.

Now this dream of creating an Agricultural Paradise by reclaiming the large areas of wasteland and bringing them into production would be a fine thing, if you could do it economically.

In some instances you succeeded, particularly with crops that could not be grown elsewhere. In other instances, you went overboard and developed irrigation water at any price, without regard as to whether irrigation was the most economical use, or whether the type of crops grown required amounts of water beyond your capacity to provide.

It is a matter of record that, in some areas,

you "mined" your underground supplies—fighting a losing battle with nature and gambling with a limited resource that might have sustained other, less consumptive, uses for years.

A pamphlet published by the Central Arizona Projects Association notes that "To eliminate the current overdraft upon irreplaceable ground water, and provide for increased municipal and industrial needs by the year 2000, Arizona needs an additional 3,000,000 acre-feet annually. Even with this quantity, no agricultural expansion would be possible."<sup>2</sup>

By promoting your dream of an Agricultural Paradise, you succeeded in having the Federal Government subsidize a shift of agriculture from the humid East, which could sustain it, to the arid West, away from the population centers.

There was an interesting article in the January 1966, Reader's Digest entitled "What Water Shortage?" The author noted that U.S. Government water is often given to the Western farmer at one-tenth its actual cost, and stated that if they had to pay the actual cost there would be less cry for more water and less irrigation farming.<sup>3</sup>

It is also a matter of record that Western irrigation and reclamation projects have a notoriously poor record both on repayment and with regard to cost versus benefits actually realized. For example, Hirschleifer and others<sup>4</sup> noted that the total subsidy to irrigation in the Columbia River Basin Project had been calculated to be 94% of the cost of irrigation, but that the calculations did not take into consideration the fact that in recent years about 80% of the wheat grown in the basin had been purchased by the United States Department of Agriculture under the farm price-support program.

They further noted that E. F. Renshaw, in studying the benefits and costs of 43 then-existing Federal irrigation projects, found that "only about one-fourth of the projects now appear to be justified on the basis of realized benefits in fact exceeding costs."

Renshaw used assumptions favorable to the estimation of benefits and his survey did not include some five projects which had been entirely abandoned and written off.<sup>5</sup>

Allen V. Kneese states that "Research done by Nathaniel Wollman and others from New Mexico demonstrated several years ago that reallocation of water from agricultural to industrial, municipal, and recreational uses is capable of greatly expanding the development potential of water-short regions. This possibility emphasizes the great importance that efficient mechanisms for the transfer of water from lower to higher value uses may have in these areas. Not only is it important that water be smoothly transferred to support industrial and urban growth in these areas if they are to continue to grow, but as water supplies become more stringent it also becomes highly significant that water used in agriculture is applied to the most produc-

<sup>2</sup> Central Arizona Project Association, *Saving Water in Arizona: A Report on Water Conservation Practices and Programs in Arizona* (Phoenix, Arizona, January, 1966).

<sup>3</sup> Wolfgang Langewiesche, "What Water Shortage", *Reader's Digest* (January, 1966), p. 208.

<sup>4</sup> Jack Hirschleifer, James C. DeHaven, and Jerome W. Milliman, *Water Supply: Economics, Technology, and Policy* (Chicago, Illinois: The University of Chicago Press, 1960), p. 228, quoting Donald S. Green "Federal Irrigation Subsidy" (unpublished University of Chicago Agricultural Economics Research Paper No. 5601), January 11, 1956, p. 7.

<sup>5</sup> *Ibid.*, quoting Edward F. Renshaw, *Toward Responsible Government* (Chicago, Idwila Press, 1957), p. 5.

<sup>1</sup> Walter B. Langbein, "Water Yield and Reservoir Storage in the United States," *Geological Survey Circular 409*, U.S. Department of the Interior, Washington, D.C., 1959, pp. 4-5.



tive lands and crops by the most efficient managers." <sup>6</sup>

Abandoned Eastern farm acreage falls, of course, into all categories, ranging from excellent farm land to farms where the land has been just plain "worn out" through poor farming practices.

Even much of the poorest of this land could, however, be rehabilitated and brought back into production through good soil conservation practices and good land management at much less expenditure than irrigating Western land.

Congressman JOHN P. SAYLOR in a study entitled *How Can America Best Provide Food and Fiber for Its Future Population* notes that "The U.S. Department of Agriculture states that there are an estimated 60,000,000 acres of new land in humid areas suitable for first class crop production, once it has been properly drained and cleared. The estimated cost of bringing this new land into production under this method is \$350 to \$400 million. The drainage and clearing classification of providing new crop land represents about 17% of the present crop acreage. These comparisons show that the cost of reclaiming desert or arid lands in the West is the more expensive method of increasing food and fiber production. Conservatively, it is 10 to 20 times greater than the cost of new development in humid areas. Furthermore, the maximum amount of land (6,000,000 acres)—that possibly could be reclaimed in the West by 1975 would add less than 2% to the present total crop land." <sup>7</sup>

The "Soil Bank" in March, 1965, contained over fourteen and a quarter million acres nationwide. Over 107,000 acres of this was Pennsylvania land.

It seems just plain ridiculous to us to keep placing Eastern farm land in the "Soil Bank," while continuing to bring additional marginal Western lands into production through subsidized water development.

Instead, why not bring this Eastern land, where the people are, and where rainfall is plentiful, back into production?

By shifting a good part of our agriculture back East and rehabilitating farming in the Eastern areas, we would be conserving much-needed water and would be stopping the heavy drainage on the taxpayers by trying to bring more and more marginal Western lands into production at a high water cost—water that could be used to your advantage for other, more essential uses.

A. H. Carhart, in his book, *Water—Or Your Life*, asks the following questions with regard to the Central Arizona Project: "Is it reasonable to expend what this project would cost to rescue 150,000 acres while 500,000 acres in other parts of the country are being retired from tillage each year, but might be maintained through good soil conservation projects? Where's the better place to put our dollar?" <sup>8</sup>

Exactly how much per acre it is costing the U.S. taxpayer to put Western lands into production depends, of course, on the particular project and on how you figure it, but all of the figures I have found are very high and cover a wide range.

Of one thing I am certain, you could put a lot of abandoned Eastern farm acreage back in production for the cost of furnishing water to one Western acre.

In 1955, the Hoover Commission task force stated that "Overestimation of irrigation

benefits has reached a point where the Bureau of Reclamation has claimed justification for the expenditure of \$1,000 to \$2,000 an acre for the development of irrigated land which, on the basis of information available to the task force, would not be worth more than \$200 an acre under present prices of mature reclamation projects." <sup>9</sup>

Southeastern Pennsylvania has some of the best farmland in the United States—land that ranges from around \$500 to \$1,000 per acre. Even with this high land cost, I venture to say that our Pennsylvania Dutch farmers are producing their crops at a lower overall cost than is being done in the Western areas. Since these men do not go for mechanized farming, it is apparent that their answer is simply good land and an abundant rainfall.

I know, of course, the arguments which may be presented against such a move back to the East—that there is stronger competition for land use in the East, that surpluses are diminishing, that Eastern farming is generally on smaller land units, and that, as a result, agriculture would be hard-pressed to provide the food and fiber necessary for our growing population.

On the other hand, the fact that agriculture over the years has become more and more efficient and, with this higher efficiency has come better management and higher yields per acre, seems to negate much of the validity of these arguments.

It appears to us, then, that the Nation would be better served if good Eastern lands were brought back into production and farmed intensively and efficiently, and that this is the logical place to spend our dollar.

A move in this direction would tend to diversify agriculture, putting a share of it closer to the major markets with resulting savings in transportation and marketing costs.

It also appears to us that, when you combine your Western water law, based on the prior appropriation principle, with the fact that about 90% of your water is tied up by a single use, you have a large, furry bear by the tail.

While we recognize that our Eastern riparian rights doctrine also has some obvious faults, we believe that giving prior right to agricultural interests for irrigation tends to set up a monopoly, stifling other types of development in an area. It certainly is not conducive to the progressive, dynamic growth of an area.

When, and if, you decide to change your position or let go, we hope you don't get too badly chawed in the process.

Now, let's turn back to Arizona's problem and take a good look at the Central Arizona Project.

I am not arguing that Arizona does not need more water, but I do question the means and effects of providing it.

In the first place, the Bridge Canyon and Marble Canyon Projects have not been proposed principally as water storage facilities, but rather, are justified on the basis of electric power generation—power that could be provided by steam-electric plants in much less time than it will take you to build the dams. If, on the other hand, peaking power is really needed, then it should be included on a limited scale as a secondary, rather than the prime, benefit.

Why does the Government construct huge power projects that could be just as easily constructed by private companies?

Cheaper power is the usual answer!

No one denies that public power rates are

lower than those of the private industry, even though the latter has brought down its rates sharply over the years.

Public power rates should be lower—after all, they are subsidized rates supported by your taxes and mine.

But the unfortunate thing is that relatively few electric customers are served by the Government-financed agencies, and those that are get their electricity at lower cost at the expense of all American taxpayers.

In our opinion, the power picture really gets wild when you justify projects on the basis of producing the power needed to pump and transport the water to questionable irrigation projects.

Carhart points out that if the whole cost of the two-phase Central Arizona Project were to be assessed against roughly 150,000 acres which would be kept in cultivation—rescuing the irrigators who knew that they were overusing the local water available—and the final, total outlay ran to \$1.5 billion, the capital cost to rescue those lands would come to \$10,000 per acre.

He also noted that, while there was a difference of opinion as to whether or not the water delivered would pay for operating costs, the irrigators would pay no part of the capital cost. With approximately half of the lands involved in the hands of 420 land owners, the benefit or "gift" to this group would come to over a half million dollars each.

He had some interesting figures, too, regarding the repayment of the interest that would have to be paid on this huge investment, indicating that the total interest payable would come to over \$2,000,000,000 and that Pennsylvania might expect to pay approximately \$150,000,000 of it; New Jersey over \$68,000,000; Illinois \$157,500,000 and New York \$304,500,000. <sup>10</sup>

Frankly, this looks to us like just another attempt to hornswoggle the taxpayer—a gentleman who, by the way, is largely of the genus homo Easterner—by juggling the benefits to construct at any cost.

Look, too, at the Colorado-Big Thompson Project. Its original estimated cost was about \$44,000,000, and the final estimated cost was in the neighborhood of \$144,500,000. It now appears that the actual final cost will be over \$200,000,000. <sup>11</sup>

We recognize that part of this increase may be accounted for by rising costs of labor and materials, but we do not think that the reclamation practice of adding extra features and modifications after a project has been authorized is a good one, particularly when the final cost is escalated all out of proportion to what the Congress and the public were originally told to expect.

What price urgently-needed recreational, fish and wildlife, and natural beauty benefits?

You Westerners may feel that you have a surfeit of these, but have you taken this Nation's overall recreational needs and population projections into consideration?

How much can we afford to sacrifice?

In my estimation, very little, if any. Future generations will need every bit of open space and every recreational area we can provide for their leisure time, well-being, and enjoyment.

We are desperately trying to do just that in the East—we already have the population pressures and know that our people want and need expanded outdoor recreational opportunities and facilities.

We ask, too, just how much valuable timberland have your massive projects in the Northwest taken out of production. While the East is trying to restore its forests for posterity, you are squandering your heritage—taking large segments of good forest land out of production to make way for irrigation and power projects.

<sup>10</sup> Carhart, *op. cit.*, pp. 213–214.

<sup>11</sup> *Ibid.*, p. 218.

<sup>6</sup> Allen V. Kneese, "Economic and Related Problems in Contemporary Water Resources Management", Reprint No. 55, Resources for the Future, Inc., Washington, D.C. (November, 1965), pp. 4–5.

<sup>7</sup> John P. Saylor, *How Can America Best Provide Food and Fiber for Its Future Population*, privately printed and undated, p. 6.

<sup>8</sup> Arthur H. Carhart, *Water—Or Your Life* (Philadelphia and New York: J. B. Lippincott Co., 1951), p. 215.

<sup>9</sup> Hirschleifer and others, *op. cit.*, p. 229, quoting from Task Force on Water Resources and Power for the Commission on the Organization of the Executive Branch of the Government ("Hoover Commission"), *Report on Water Resources and Power* (Washington, D.C., 1955), I, pp. 18–19.



Up to this point, I have been raging at you, the opposition. Now let's take a look at my own team and its trials and tribulations.

We, too, as I mentioned earlier, have a couple of bears by the tail—our lack of adequate storage and our massive pollution problems. In the latter case, we are literally up to our ears in many areas in an odious mess of our own brewing.

With our whole economy geared to an abundant supply of raw water and practically unlimited use, our cub grew into a grizzly before we realized what had happened.

Many of our Eastern states, my own State included, have been working for the past twenty years or so to correct the situation and to rehabilitate our streams so that they can once again serve our heavy and ever-increasing concentration of population and industry.

In some areas, we have been keeping about even with the problem and have even made a little headway. In others, things have gone from bad to worse.

Faced, as we are, with mushrooming population and the industry and services needed to support this growth, we can no longer afford to use piecemeal approaches in meeting the problem, or with just staying abreast of it—drastic, widespread action must be taken, and taken soon!

When I said earlier that we would be in dire trouble within the next twenty years, I was not exaggerating. Indeed, many of us believe that we are already close to the breaking-point and that only a concentrated effort at all levels of government and by industry can bail us out.

We have been nickel and diming it so far, but it now appears certain that it is going to take the expenditure of billions of Federal, State, and local dollars over the next number of years to get the job done.

Pennsylvania, with some of the best "Clean Streams" laws in the country, has expended many millions of dollars over the past twenty years and is making a little progress—just staying ahead of the compounding problems. New York, just last year, passed a 1.0 billion dollar bond issue for aid to communities for treatment plants and interceptor sewers. That expenditure will bring them about even with the problem, and a number of other states, my own included, are currently considering similar actions.

At the Senate Hearings on the Water Quality Act just one year ago, Governor Hulett C. Smith of West Virginia said that West Virginia cities could use a Federal contribution of 80%, and then added that his State and New York, between them, could use the Federal grants provided for the entire Nation.

This, then, is the magnitude of our pollution problem and the dollars we will require to correct it.

We need, too, much additional storage in the East to help solve our water quality problems and to conserve and better manage our water resources for present and future generations.

With good storage sites now so scarce in the East that we consider them to be a resource in their own right, we have turned to multiple-purpose development of those remaining.

We are in the process of initiating good comprehensive river basin planning, development, and management in our major river basins to provide the good water necessary to meet the needs of the future's teeming millions. This must be done, and, if we don't do it soon, the economy of the East could well stagnate and with it, the economy of the Nation.

Just remember, if we fail—you fail, too! The Eastern water administrator knows only pure frustration when he goes before the Congressional committees to press for the authorization and funding of necessary water projects—many of them have taken over thirty years to even get underway. He is

handed the crumbs and the cake goes West!

This has been a source of amazement to me, because our Eastern dams fall, for the most part, into the category of small dams. Size-wise and cost-wise, you can drown quite a few of them in one of your Western projects. Benefit-wise, however, in proportion to their size and cost, they far outshine your Western giants simply because they are located near the population centers where the needs are greatest and more pressing.

At this point, I do want to emphasize one fact that is becoming more and more apparent to water administrators all over the country. Water rates, in both the East and West, are much too low, and revised rate structures are urgently needed Nationwide.

Unless and until, people become educated and are willing to pay a reasonable price for water, panels such as this will continue to argue, and sections of the country will be vying with one another.

With National goals with regard to development unclear at present, we firmly believe that the older civilization of the East must be protected, and that it is sheer folly to keep pouring billions of dollars into questionable Western development and grandiose Western schemes.

Population pressures may make even development of marginal Western projects necessary some day, but we must emphasize that the East has immediate problems that must be rectified before the bottom drops out of the National economy.

In short, you have long-range planning time—we don't!

What I am really saying is that the Nation's largest segment of population and industry, needs help and needs it fast. The minority has cornered the market long enough.

The East must meet its massive water quality problems; increase its storage; revitalize its agriculture; and develop as much nearby outdoor recreation for its millions as possible before available space is swallowed up by urbanization.

The time has come, gentlemen, when we must insist, yes, demand, that you give us back the ball, and with it, a fighting chance.

We have subsidized your dream long enough—far too many Western projects have been constructed with Eastern dollars, and we now need and want our rightful share.

Mr. Chairman, the task proposed in this legislation for a National Water Commission is a most difficult one. The contributions of such a commission will directly affect the economic and social progress of our Nation for years to come. If they do their job properly, this will be a day long to be remembered. If they fail to do the job which we are asking them to do, it will be just another wasted effort.

Now I yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding. I wish to say that optimism is coming with a higher price tag all the time. This bit of optimism has carried a \$5 million price tag.

Mr. SAYLOR. I might say to my colleague that if this Commission does its job, it can eliminate five times that amount every year in view of the duplication that has already taken place in the Federal Government.

Mr. GROSS. I hope the gentleman's optimism is justified, but in the light of what has been happening in the Federal Government, I seriously question it.

What is there, in the absence of this Commission, that the Water Resources Council cannot do?

Mr. SAYLOR. Let me read you, sir,

what the Water Resources Council is. The Water Resources Council was created by Congress in the act of 1965, which is Public Law 89-80, passed July 22, 1965.

This Council is composed of Cabinet-level agencies, of the Secretaries of Agriculture, Army, Health, Housing and Urban Development, Interior, and the Chairman of the Federal Power Commission.

One of the limitations that is placed upon that Water Resources Council is that the only place they get any information is from one of the already entrenched agencies, so all the Water Resources Council is doing is reviewing what one of their own agencies has already told them. They do not go out and get a picture of the entire water needs of the Nation. That is what we are asking this Commission to do and why I support this legislation. This will be a new, fresh look, with recommendations to the President, which will include, I hope, the elimination of duplication in the Federal Government.

Mr. PRICE of Texas. Will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Texas [Mr. PRICE].

Mr. PRICE of Texas. Mr. Chairman, I would like to commend the distinguished minority leader of the committee, Mr. SAYLOR, the subcommittee chairman and the committee chairman for their work on this legislation.

Representing the Panhandle of Texas, we are not unaware of the need for water. My district has an average annual rainfall of 19 inches. Many States are not faced with the problems that we are soon going to be faced with in regard to water. In many areas of the Southwest, it is said that by 1985, their economies, will peak out and their need for water is going to be great.

I am happy to see the gentlemen on this committee bring before the House this legislation so we can get some planning. It has been very difficult in State compacts, and so forth, to get responsible planning done for water resources. I am glad to see that there is finally something being done so we can bring this about. I hope the Commission does function the way the committee hopes it will.

I thank the gentleman for yielding.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Chairman, I have been particularly interested in the gentleman's statement with respect to his evaluation of the failures that exist in this area and the defects in Government, both in the executive and legislative branches, and the problems of entrenched interests.

Is it fair and accurate to say that the very fact that this piece of legislation is on the floor today is an indication that the sorting function, say, within the Bureau of the Budget and the Executive is not working efficiently? If I understood the gentleman correctly, he said there was duplications and waste. I ask the gentleman why? Can it be said that the very fact we are dealing with this legislation is an indication that the executive branch is not dealing effectively with



these problems? I raise the question of the Bureau of the Budget, because that is one division that has overall supervision.

Further, is it not true that the committees of the House and the committees of the Senate have a similar responsibility in this area to see that there is not duplication, to see that order is brought out of disorder as the problems of this country evolve? I believe this is a very fundamental question. We happen now to be talking about water, but we could have a commission for any number of subjects and in fact do, where, as our country changes, we find we are not dealing with these problems in a thoughtful and effective way.

Mr. SAYLOR. This is correct. I can say that neither the Bureau of the Budget nor the various agencies of the Government nor the Congress itself has prevented waste and duplication. This is one of the reasons that our committee required the stipulation in this legislation that the members of this Commission should not be connected with Government and to have people from outside Government, who have an interest in water, take a look at this from a national basis.

One of the best examples of the duplication and failures of the commissions to make a good report was in the last report that was done by our colleagues on the other side of the Capitol, they appointed members all of whom came from States which have water problems, and the only thing they tried to solve was their own problem, and they did not worry about the problems of anybody else.

This is what I hope will be done away with when we get this legislation passed.

Mr. WOLFF. Mr. Chairman, foresight is one of the key words to effective government management and this bill which we are now considering has above all this virtue to commend it.

Instead of waiting until the problem reaches the critical stage the President has wisely called for a study of our national water resources which will allow us to forestall an acute water shortage that will overtake our Nation in the next few decades if we continue blindly on our present course.

The establishment of a National Water Commission gives us time to review the entire range of water resource problems now while we can still plan alternative ways of meeting the needs and build sensibly a national system.

The measure is not only unquestionably necessary, it is imminently timely and I urge my colleagues to vote S. 20 into law now before a national water crisis is upon us.

Mr. ROSENTHAL. Mr. Chairman, we learned long ago the sad lesson that our vast expanses of forest lands, once thought endless, were not inexhaustible. It has taken us far too long to realize that our reserves of water are likewise not unlimited. Such miscalculations about the extent of our water supply were forgivable in 1800, perhaps even in 1900. But by 1967, they became inexcusable.

Well before this time, we were headed for a serious water problem. Today we are up to our necks in it. We are con-

fronted today by a fait accompli of pollution, wastage, and shortages throughout the United States. New Yorkers once were proud of the Hudson River. Today such pride is difficult to sustain.

The drought that recently beset the Northeast and other areas—and even now, we cannot say with certainty that it is over—did not represent a new problem. It merely reasserted the reality that Nature may be capricious in the allocation of her bounties.

The task, then, devolves not upon Nature, but upon ourselves. It is essential for us to secure the purposeful and frugal utilization of our water, and to seek the reclamation of the prodigious quantities that have become sullied through our negligence and lack of both understanding and commitment.

No one will deny that the task is beyond the ability to be assumed by localities. We have been told by Charles Schultze, the Director of the Bureau of the Budget, that "no region is immune" to water resource problems. "Their dimensions," he said, "are truly national in scope." I would add that they demand action that is national in scope.

Much could and should have been done long ago. Unfortunately, we cannot enact retroactive measures. We must begin with the present and do as much as we can, as rapidly as we can. Should the day arrive on which we lack sufficient stores of water to meet the needs of our people, I need not describe the consequences. And it is evident that any failure on our part to act decisively will inevitably lead to such disaster.

Accordingly, during the first session of the 89th Congress, I introduced H.R. 10245 that would have created a Federal Water Commission, an independent regulatory agency with full enforcement powers. It was a proposal consistent with my belief that the strength of corrective measures must be commensurate with the severity of the problem.

In fact I am not certain that the problem of water conservation will yield to a profusion of analyses and recommendations. I am therefore somewhat disappointed by the bill we have before us, all the more so because I am convinced that the administration sincerely desires to take effective action in this area. I must say that I had hoped for a more potent measure.

Nonetheless, S. 20 is a good bill as far as it goes. It clearly acknowledges the priority required by water conservation. It promises to centralize all information, if not all activities, relevant to the preservation of our water resources. It seeks to utilize, in the words of the President, "the very best minds in the country," individuals who will dedicate a considerable proportion of their time and expertise to this endeavor. In short, it is a step, if only a small one, in the right direction.

I wish, then, to express my support for this legislation, with the firm belief that my colleagues will not be satisfied with terminating their efforts here. If the National Water Commission will open the floodgates of effective congressional action and provide the impetus for a series of tangible accomplishments, it will have made a distinguished contribution to the national welfare.

Mr. RYAN. Mr. Chairman, once again the House is asked to consider legislation concerning water and its uses. Past events are eloquent testimony that the allocation, use and pollution of this precious resource transcends a regional approach.

Historically the West has been more aware, than the East, of the need to conserve water and to develop more adequate methods of water utilization. One need only recall, however, the recent water crisis in New York City and the subsequent dispute between that city and Philadelphia over the allocation of the waters of the Delaware River, as evidence that the East, as well, faces a crisis, a crisis which concerns not only the allocation of existing water, but what has become a national disgrace—pollution.

These recent crises are not passing phenomena. Daily the national demand for water grows as population and industry expand. The time has long passed when self-interested local or regional authorities lacking national breadth of vision are able to handle what has been, for at least a decade, a national problem.

I support S. 20, as amended, creating a National Water Commission. But, the bill does not meet the grave crisis at hand. In effect it authorizes continued studies. I agree that increased knowledge concerning effective utilization is, and will continue to be, needed. In my opinion, however, studies such as those conducted by the Senate Select Committee on National Water Resources—1959–61—and evidence produced by Congressman JIM WRIGHT in his book "The Coming Water Famine," warrant legislation giving a national agency authority to take positive action for water utilization.

I introduced legislation to create a Federal Water Commission in the 89th Congress—H.R. 10244. I reintroduced it as H.R. 1252 in this Congress. This bill, entitled the Federal Water Commission Act, is based primarily upon the model water use act adopted in 1958 by the National Conference of Commissioners on Uniform State Laws. It would cover all water use, including pollution, affecting any internal or coastal water in the United States. Use, including pollution, of such waters would be governed by uniform Federal standards aimed at insuring that they are employed only for beneficial uses. A five-member Federal Water Commission, modeled after the Federal Power Commission, would administer and enforce the law.

The key provision of the bill authorizes the Commission to require and issue permits for all uses of water resources covered by the bill. The Federal permit procedure specifically protects existing uses as long as they remain beneficial and serve the public interest.

H.R. 1252 provides procedural safeguards, including the unqualified right of appeal, regarding the licensing procedure. Moreover, the bill empowers the Commission to suspend the application of Federal licensing procedures if it finds, after a hearing, that regional, State, or local regulations will adequately effectuate the purposes of the act.

The Federal Water Commission would be empowered to deal with water shortages as well as water emergencies. In the former situation, the Commission could



require proration and emergency appropriation of private water supplies. More urgent measures, such as water rationing and emergency appropriation of private water supplies, could be effectuated, if necessary, to protect public health and safety.

The Commission would develop a long-range plan of allocation which would anticipate shortages and thereby eliminate potential crises.

The bill would permit the study and planning of interbasin water transfers under the Water Resources Planning Act of 1965. Moreover, the Water Resource Council, established by the 1965 act, would function as an advisory committee to the proposed Federal Water Commission.

In short, my bill (H.R. 1252) would establish a Federal Water Commission as a water policy review board, dealing primarily with the laws and regulations of other governmental agencies and political subdivisions.

Mr. Chairman, as far as the bill before us today, S. 20, is concerned, other than requiring that no member of the Commission shall be an officer or employee of the United States, it duplicates, to a great extent, the information-gathering authority of the Federal Water Resource Council established in 1965.

Information is necessary, but positive action is imperative if we are to survive the impending crisis. The present bill is a philosophical step in the right direction. It recognizes that water is a national resource, a national problem—one that necessitates study from a national vantage point.

It is a step beyond the philosophy embodied in section 3(d) of the Federal Water Resources Planning Act of 1965 which prohibits any entity established under the act to "study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission." In light of the national situation, this prohibition is an unnecessarily narrow and restrictive approach. I hope, indeed it is imperative, that the National Water Commission, proposed by this bill, study, plan and make any necessary recommendations regarding interbasin water transfers.

Support as I do this bill, it is not enough.

The fact of the matter is that we must have an integrated national policy for water conservation, water development, and water pollution control. We have accepted the principle of Federal coordination in developing a national power grid. It is only logical that similar coordination regarding water be adopted. This requires more than additional studies; it requires legislation giving authority to a Federal Water Commission to allocate our national water resources and to develop a national water policy.

Mrs. HECKLER of Massachusetts. Mr. Chairman, I wish to add my support for the passage of S. 20, which would establish a National Water Commission for advising the President and Congress on the entire range of water resource problems.

I am sure that each of my colleagues is fully aware of the various water problems in his district. In my own district,

the Taunton, Charles, and Ten Mile Rivers are polluted because of inadequate sewage treatment plants. This immediate problem must be solved in the near future. Certainly we should also consider our long-term needs for adequate and clean water. In our concern for the problems of today we cannot lose sight of tomorrow's needs for developing and maintaining water resources in the 10th Congressional District of Massachusetts and throughout the country.

The provisions in S. 20 provide for the collection, review, and analysis of water resource information that now lay scattered at different levels of government in every part of the United States. With better coordination of our knowledge of the present problem, we will be better able to insure the future productive utilization of a most precious natural resource.

The passage of this bill is a necessary step toward the achievement of this goal.

Mrs. DWYER. Mr. Chairman, the need to assure our people, our industry, and our agriculture in this growing country of an adequate supply of clean water is a public problem of unsurpassed dimensions and importance. Though the problem differs in character and size from region to region, it is national in scope and our present legal and administrative system for dealing with this problem has not kept pace either with the need for water or with the technological resources to provide it.

With the gap between supply and demand becoming increasingly narrow, we can no longer afford to delay in taking a comprehensive look at our needs and in weighing the steps that will be necessary to supply those needs well into the future. The establishment of a National Water Commission will, therefore, be a major contribution to this objective, providing both the comprehensiveness of the survey and the expertness of the judgments that must be made.

I strongly support the pending bill to create this Commission.

It is worth noting in this perspective, Mr. Chairman, that other major water resource studies are presently underway, for it will be important that all are thoroughly coordinated. One of the most important, as I mentioned here earlier this week, is the Northeastern U.S. Water Supply Study being conducted by the North Atlantic Division of the Corps of Engineers.

The preliminary report of the activities and accomplishments of the NEWS Study, which I placed in the RECORD at that time, has aroused considerable response, and as an illustration of the great interest in water supply problems and progress which the lengthy northeast drought has aroused, I include as part of my remarks editorials which appeared in the Paterson, N.J., News of July 6 and the Newark, N.J., Star-Ledger of July 8: [From the Paterson (N.J.) News, July 6, 1967]

#### WATER FOR THE FUTURE

Mrs. Florence P. Dwyer, energetic Republican congresswoman from Union County's 12th district, has pored over the problems of North Jersey's future water supply and has come up with some interesting observations.

Basing her findings on reports by Army engineers on urgent water needs in the next 10-15 years, Mrs. Dwyer has confirmed a condition long known to the engineers and to

New Jersey water and conservation leaders, i.e.: that sorely needed is a gigantic reservoir for water storage for the area in the event of emergency.

Mrs. Dwyer will find that without new and exhaustive surveys, there are in the records numerous substantial proofs of the desirability of such a reservoir, dating back 20 or 25 years. Army engineers, long since passed into retirement, concurred with valiant citizens' flood control groups from Passaic and adjoining counties that unless such a storage area were provided, North Jersey some day would be faced with critical shortages. The drought conditions of the past few years sustained the judgment.

When the plan was first advanced years ago, there was available in the Caldwell area acres upon acres of fallow land which could have been acquired at minimal costs. Not only would the reservoir then have supplied water reserves but it would have ended the intermittent flood dangers which beset the area.

Now these lands have been built upon—thousands of new homes, new industries, new mercantile establishments.

New surveys would have to be made to determine available sites.

Mrs. Dwyer says that depending on the availability of site locations, the engineers consider such a reservoir might also be used to provide storage releases for the New York City water supply system. "It also could provide assistance in repressing the salt front in the Delaware River," she says.

State Conservation Commissioner Robert Roe has made detailed studies of the water situation in North Jersey and the likelihood is he will come up with a program. It will not be too soon, if not too late.

[From the Newark (N.J.) Star Ledger, July 8, 1967]

#### WATER PLANNING

It is encouraging to note that the breaking of the persistent drought that afflicted New Jersey, New York and other Northeastern States by the beneficence of heavy rains has not produced an atmosphere of official and public complacency. This would be illusory and shortsighted.

The emergency measures taken by Newark and the state on this side of the Hudson and New York on the other must be viewed strictly for what they were and are . . . a transitional phase to ease the oppressive rigors of the five-year drought.

Newark now has under consideration an ambitious plan to tap the Delaware River, a costly project launched with the proposed purchase of a railroad right-of-way to be used for the alignment of the connecting pipeline. This would not only provide for the city's long-term requirements but would enable it to sell supplies to other North Jersey communities.

But the Army Corps of Engineers has come up with preliminary proposals that would provide far more substantial relief on a more desirable regional basis, covering three states . . . New Jersey, New York and Connecticut. These are forward-looking plans of the magnitude that must be undertaken to make any future expansion of water resources compatible with the rapidly rising demands of the burgeoning population and industrial development in the three-state region.

The most gratifying feature among the proposals outlined in a preliminary status report on possible solutions for regional water demands is that the plans would serve two states. A proposed storage reservoir would primarily relieve North Jersey, but this could be modified by location to serve New York City and even South Jersey, now fed by the Delaware River.

Even more expansive and ingenious are two other plans submitted by the Army Engineers. One would create a fresh water reservoir in the Hudson River by building a tidal dam north of New York City; the other



would dam both sides of Long Island Sound and divert the Hudson River into the Sound.

These are the mammoth-sized projections that would be required to fill increasing water demands on a regional basis during the next 15 years. It is the kind of thinking, planning and vision that must be utilized in a collaborative, concerted approach by federal and state governments to deal with the crippling effects of the drought.

Mr. HORTON. Mr. Chairman, I rise in support of S. 20 and to urge my colleagues join me in supporting this bill. While serving as ranking minority member of the Subcommittee on Natural Resources and Power of the Government Operations Committee, I have learned of the scarcity of meaningful information about the nature and extent of the impending water supply crisis which America faces.

We all recognize that assuring this Nation an adequate supply of pure water in the years ahead is one of the greatest challenges confronting us today. However, before we can undertake an efficient and effective program of water resource management, we must dramatically increase our knowledge of both the problems confronting us and possible solutions to them.

For instance, at the present time we lack the technology to either economically desalinate sea water or retard evaporation for reservoirs. Yet, almost certainly, these techniques of expanding our water supply will soon become essential if we are to develop adequate water resources in the future. Further, it is probable that even water management techniques such as these will soon become commonplace. Many of us will live to see weather modification and interbasin water transfers become a reality.

Therefore it is of prime importance that a group be established to coordinate and stimulate the development of the technology requisite to effective water resource management. The Commission which this bill will establish is ideally suited to the task at hand. This blue ribbon panel is charged with the responsibility of inventorying the water resources of our entire Nation and projecting the Nation's future water needs. It is the Commission's further task to suggest ways in which the vast untapped water resources of some areas of our Nation can be used to relieve the chronic and serious water shortages that exist in other areas.

The Commission's assignment is as broad and complex as is the water supply crisis confronting our country. Among other things, it is to consider matters of water pollution, water conservation and how our available water resources might best be allocated among the various sections of our country and among competing uses within each section of the country.

I believe that this sort of far-ranging inquiry is long overdue and merits our full support at this time.

The CHAIRMAN. All time has expired.

The Clerk will read.

Mr. ASPINALL. Mr. Chairman, I ask unanimous consent that the bill be con-

sidered as having been read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

Mr. GROSS. Mr. Chairman, reserving the right to object, I suggest we proceed for a short time. Then the gentleman can renew his request.

Mr. ASPINALL. Mr. Chairman, if the gentleman will tell me when, I will pay attention.

Mr. Chairman, I withdraw my request.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

S. 20

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Water Commission Act".*

#### THE NATIONAL WATER COMMISSION

SEC. 2. (a) There is established the National Water Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members, who shall be appointed by the President, by and with the advice and consent of the Senate. Members shall serve at the pleasure of the President. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(c) The President shall designate a Chairman of the Commission (hereinafter referred to as the "Chairman") from among its members.

(d) Members of the Commission may each be compensated at the rate of \$100 for each day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b 2) for persons in the Government service employed intermittently.

(e) The Commission shall have an Executive Director, who shall be appointed by the Chairman with the approval of the President and shall be compensated at the rate provided by law for level IV of the Federal Executive Salary Schedule. The Executive Director shall have such duties and responsibilities as the Chairman may assign.

#### COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 1, line 8, through page 2, line 4, strike out all of subsection 2(b) and insert in lieu thereof the following:

"(b) The Commission shall be composed of seven members who shall be appointed by the President and serve at his pleasure. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, or shall be a retired officer or employee of the United States who is currently drawing or is entitled to draw currently an annuity or retired pay."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 2, line 13, strike out "by law (5 U.S.C. 73b-2)" and insert "by 5 U.S.C., sec. 5703".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 2, line 17, strike out "President" and insert "Commission".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 2, lines 18 and 19, strike out "Federal Executive Salary Schedule," and insert "Executive Schedule (5 U.S.C., sec. 5315)".

The committee amendment was agreed to.

Mr. DELLENBACK. Mr. Chairman, I move to strike the last word.

(Mr. DELLENBACK asked and was given permission to revise and extend his remarks.)

Mr. DELLENBACK. Mr. Chairman, in view of the remarks which were made earlier in general debate by my good friend the gentleman from California [Mr. HOSMER] alluding to an excess of water in the Pacific Northwest, I feel compelled to make a few remarks in reply.

We of the Northwest frequently hear references to an alleged excess of water in our area. Whether or not we have an excess of this priceless resource is very much of an open question. It is imperative that this question be studied, and studied thoroughly, before there be any conclusion reached in this regard. Certainly this study must be concluded before there be any serious consideration whatsoever given to the possibility of diverting any of our water to any other area of this Nation.

We do know that as of right now we have extensive problems of water conservation and utilization—a great need for a series of public works projects so that waters which are with us in ample supply during some seasons can be held and utilized when badly needed during other seasons.

My State of Oregon has undertaken a study of our water needs, both present and future. I urge other States to make the same sort of independent study of their own needs.

This Nation does have water problems. Each area has its own problems. This bill offers no panacea, but it does offer the promise of an effective tool in our search for a clear definition and evaluation of the problems and in our search for sound and well thought out answers to these problems. As always, a great deal is going to depend on the individuals chosen by the President to carry out the duties given by this bill to the National Water Commission.

We feel confident that the President will, as has been indicated in the committee report, appoint to this Commission people of undoubted ability and without bias or prejudice.

We need the tool that is made available by this particular bill. I urge my colleagues to join in supporting S. 20.

Mr. PETTIS. Mr. Chairman, will the gentleman yield?

Mr. DELLENBACK. I am glad to yield to the gentleman.



Mr. PETTIS. Mr. Chairman, I would just like to make the observation that a great many strides have been made in recent years in the utilization of water and its reutilization. For example, in my own district the steel industry, which used to use as much as 15,000 gallons of water per ton of steel, now have gotten it down to about 1,100 gallons of water per ton. I think a lot of the water now being used and then wasted or which flows on into the sea could be transferred to other places after its original utilization in some of these areas which my colleague has spoken of. I have high hopes for this commission and certainly support its goals and objectives and I urge support of the House for the bill.

Mr. DELLENBACK. Mr. Chairman, I am delighted to hear the remarks of the able gentleman from California.

I think there is no question but that part of the water studies that must be made in the years ahead should deal not only with present needs and future needs and present supplies, but also with optimum utilization so that every drop of water available in this Nation may be used and reused just as effectively and efficiently as possible.

Mr. ASPINALL. Mr. Chairman, I renew my unanimous-consent request that the bill be considered as having been read in full, printed at this point in the RECORD, and open to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The remainder of the bill is as follows:

#### DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to, desalting, weather modification, and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

(b) The Commission shall consult with the Water Resources Council regarding its studies and shall furnish its proposed reports and recommendations to the Council for review and comment. The Commission shall submit to the President such interim and final reports as it deems appropriate, and the Council shall submit to the President its views on the Commission's reports. The President shall transmit the Commission's final report to the Congress together with such comments and recommendations for legislation as he deems appropriate.

(c) The Commission shall terminate not later than five years from the effective date of this Act.

#### POWERS OF THE COMMISSION

SEC. 4. (a) The Commission may (1) hold such hearings, sit and act at such times and places, take such testimony, and receive such

evidence as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) without regard to the civil service laws and regulations and without regard to the Classification Act of 1949 as amended, employ and fix the compensation of such personnel as may be necessary to carry out the functions of the Commission: *Provided*, That of such personnel no more than five persons may receive compensation equivalent to the compensation established for grade 18 under the Classification Act of 1949 as amended, (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; (7) enter into contracts or agreements for studies and surveys with public and private organizations and transfer funds to Federal agencies and river basin commissions created pursuant to title II of the Water Resources Planning Act to carry out such aspects of the Commission's functions as the Commission determines can best be carried out in that manner; and (8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this title.

(b) Any member of the Commission is authorized to administer oaths when it is determined by a majority of the Commission that testimony shall be taken or evidence received under oath.

#### POWERS AND DUTIES OF THE CHAIRMAN

SEC. 5. (a) Subject to general policies adopted by the Commission, the Chairman shall be the chief executive of the Commission and shall exercise its executive and administrative powers as set forth in section 4(a) (2) through section 4(a) (8).

(b) The Chairman may make such provision as he shall deem appropriate authorizing the performance of any of his executive and administrative functions by the Executive Director or other personnel of the Commission.

#### OTHER FEDERAL AGENCIES

SEC. 6. (a) The Commission may, to the extent practicable, utilize the services of the Federal water resource agencies.

(b) Upon request of the Commission, the head of any Federal department or agency or river basin commission created pursuant to title II of the Water Resources Planning Act is authorized (1) to furnish to the Commission, to the extent permitted by law and within the limits of available funds, including funds transferred for that purpose pursuant to section 4(a) (7) of this Act, such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with this Commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(c) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided*, That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said

Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further*, That the Commission shall not be required to prescribe such regulations.

#### APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this Act.

The CHAIRMAN. The Clerk will report the other committee amendments: The Clerk read as follows:

On page 3, lines 18 to 21 inclusive, strike out "The Commission shall submit to the President such interim and final reports as it deems appropriate, and the Council shall submit to the President its views on the Commission's reports." and insert: "The Commission shall submit simultaneously to the President and to the United States Congress such interim and final reports as it deems appropriate, and the Council shall submit simultaneously to the President and to the United States Congress its views on the Commission's reports."

On page 4, line 12, strike out "the Classification Act of 1949 as amended," and insert "5 U.S.C., ch. 51,".

On page 4, lines 17 and 18, strike out "grade 18 under the Classification Act of 1949 as amended;" and insert "grade GS-18 of the General Schedule contained in 5 U.S.C., sec. 5332(a);".

On page 4, lines 18 and 19, strike out "section 15 of the Act of August 2, 1946 (5 U.S.C. 55a)" and insert "5 U.S.C., sec. 3109".

On page 6, line 24, strike out "(5 U.S.C. 46e)" and insert "5 U.S.C., sec. 5514)".

On page 7, line 8, strike out "such sums as are required" and insert "not to exceed \$5 million".

The committee amendments were agreed to.

#### AMENDMENT OFFERED BY MR. HENDERSON

Mr. HENDERSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HENDERSON: On page 3, line 2, after the word "rate" strike all through line 3 and insert in lieu thereof: "determined by the U.S. Civil Service Commissioners."

Mr. HENDERSON. Mr. Chairman, the purpose of this amendment is to provide the authority and responsibility in the U.S. Civil Service Commission to determine the grade level, rather than, as the bill does, to provide for the grade level of IV for the executive director of the commission that would be created by this legislation.

I have no objection to the level at the level IV being established by the Civil Service Commission under its general authority and, perhaps, it should be.

But I would point out to the members of the Committee that there is only the difference of the sum of \$27,000 a year compensation for level IV and of \$26,000 a year compensation paid for level III. In my opinion that is a very fine line of distinction which should be made by those who have the technique and authority as does the Civil Service Commission.

Mr. Chairman, I am very appreciative of the response that I have had from the chairman of the Committee on Interior and Insular Affairs and its staff with reference to this proposal.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me for just one moment?



Mr. HENDERSON. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, as far as those on this side of the aisle are concerned, we will go along with the amendment which has been offered by the gentleman from North Carolina.

It so happens that our committee was not advised of any position that the Civil Service Commission took with reference to this legislation. I understand that the gentleman's committee was so advised.

If we find that we have any difficulty in conference with reference to this particular matter, I can assure the gentleman from North Carolina that his contribution shall be given every consideration and he shall be made aware of such difficulties.

Mr. HENDERSON. I thank the distinguished gentleman from Colorado, the chairman of the committee, and I appreciate the gentleman's consideration.

I would point out however, that I was advised by the Chairman of the Civil Service Commission that they had not been consulted with reference to whether the position should be level IV or not, a situation for which the chairman of the Committee on Interior and Insular Affairs is no more responsible than I am. Mr. ASPINALL. Mr. Chairman, presumably, the representative speaking for the executive department, including the Bureau of the Budget, who spoke in support of this legislation, did not consider the position of the Civil Service Commission. This perhaps was a shortcoming of our committee's consideration also.

Mr. HENDERSON. I agree that the Bureau of the Budget is the agency to which we look to monitor the differences between the Civil Service Commission and other executive departments and it certainly failed to perform its duty in this case.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. HENDERSON. I am glad to yield to the gentleman from Pennsylvania, the ranking minority member of the committee.

(Mr. SAYLOR asked and was given permission to revise and extend his remarks.)

Mr. SAYLOR. For those of us on this side of the aisle, we have no objection to this amendment, provided it is understood by the Civil Service Commission that they are not to have anything to do with the appointment of the Executive Director.

Mr. Chairman, one of the most important parts of this legislation, if it is going to be effective at all, is that the Commission itself is selected upon the basis of being composed of competent individuals and that it shall select a competent individual to be the Executive Director.

I certainly hope that such Executive Director will be someone who is not at the present time in the Federal Government. We want people on the outside to take a look at what is happening to the agencies involved in this field in the Federal Government.

Mr. HENDERSON. The purpose—and the only legal effect of the amendment—is to provide that the Commission establish the rate or grade.

(Mr. DULSKI asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DULSKI. Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentleman from North Carolina, Hon. DAVID HENDERSON.

All Mr. HENDERSON's amendment does is to have the officials in the Federal Government who are charged with job analysis, namely the U.S. Civil Service Commissioners, determine the proper pay level for the position of Executive Director of the National Water Commission.

I have learned informally that the officials in the Civil Service Commission have not as yet been given an opportunity to review the proposed position of Executive Director. We should approve the amendment offered by my friend from North Carolina, and by so doing keep the control of positions, pay levels and related civil service issues within the existing legal framework.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. HENDERSON]. The amendment was agreed to.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words. (Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Chairman, we have heard a good deal about the complexion of this seven-member Commission to be appointed by the President. Beyond the prohibition that members can hold no other position as an officer or employee of the United States, or be a retired officer or employee of the United States who is currently drawing or is entitled to draw currently an annuity or retired pay, there is no other standard to be applied. All, or any number of these Commission members could be broken down political hacks. They do not have to have any particular qualifications, because that is not spelled out in the law. I would say further that all of them could be from Texas.

Mr. ASPINALL. Mr. Chairman, will my friend, the gentleman from Iowa [Mr. Gross], yield to me for a little bit more than just a pleantry?

Mr. GROSS. Yes, I yield to the gentleman from Colorado.

Mr. ASPINALL. I think the gentleman from Iowa, perhaps, has stated a possibility that here is one of the most important activities insofar as people are concerned in which to serve their Government and insofar as the executive department is concerned.

And if those kind of people should be appointed then I believe that is all that is necessary to make a farce out of the whole thing. I do not believe the President of the United States will do that, whether he happens to be a Republican or a Democrat.

Mr. GROSS. I will say to the gentleman that I have been here long enough to have seen on both sides of the political fence some strange appointments, and so has the gentleman from Colorado.

Mr. ASPINALL. I do not have to get away from the Hill to second the motion, so far as the Hill appointments are concerned.

Mr. GROSS. I would point out to the gentleman that some of the appointments to the U.S. Supreme Court are just example, and I refer to both political parties mind you. I would like to see in some of these bills something spelled out by way of qualifications, if quality is what you intend to get with this new Commission. And for the life of me I cannot get an answer to the question of what the existing Water Resources Council cannot do in the absence of this Commission. Furthermore, I would like to know how much money is today being spent on the Water Resources Council. I thought when that bill went through here a year or so ago that we had reached utopia insofar as commissions and councils were concerned in the matter of water and water resources in this country. Evidently I was mistaken for here you are with another commission today at a cost of \$5 million to the taxpayers at a time when Congress has just upped the debt ceiling to \$365 billion. Apparently \$5 million does not mean a cockeyed thing around here any more. So just appoint another well paid commission and staff because there is a failure somewhere down the line. Never abolish any other council or resource study commission.

I guess I ought to be surprised and pleased that the administration did not ask for more millions to put brick and mortar in the bill so they could build some laboratories or buildings to go along with this new Commission.

When are we going to stop adding commissions to this Government? I said a while ago that employment in the Federal Government has gone up to approximately 3 million, and continues to go up every hour of every day. May a kind providence have mercy on those who will have to pay these bills.

AMENDMENT OFFERED BY MR. HENDERSON

Mr. HENDERSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HENDERSON: On page 5, line 4, strike all after the word "commission" to the semicolon in line 8.

Mr. HENDERSON. Mr. Chairman, it will take only a minute to explain what this amendment does.

The bill if not amended reads:

*Provided*, That of such personnel no more than five persons may receive compensation equivalent to the compensation established for grade GS-18 of the General Schedule contained in 5 U.S.C., sec. 5332(a).

This is what we refer to as supergrades, Mr. Chairman. This amendment would take the proviso out of the bill. It would mean the Commission would then go to the Civil Service Commission to establish both the number and the qualifications of those who would be appointed to these supergrade positions as employees of the Commission. It would be possible, admittedly, for them to convince the Civil Service Commission of their need of more than five, and get more than five. My objective primarily here is to again bring before the House and the executive agencies the system that we are using for the allocation of supergrade positions, grades GS-16, GS-17, and GS-18. We authorize the Civil Serv-



ice Commission to allocate these positions. The agency goes to the Commission and justify first the need for the position and the qualifications of those they would appoint to these positions.

Mr. Chairman, I would also like to add that the Subcommittee on Manpower, which I have been chairing, is presently holding hearings on the needs for supergrade positions. We are bringing in witnesses from the various executive agencies with respect to their requirements for supergrade positions and, just as we did last year, we will again review the needs of the executive department.

I assure the House that there should be no reason that this Commission should not be fully staffed.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HENDERSON. I am delighted to yield to the distinguished gentleman from Iowa.

Mr. GROSS. Do I understand that the gentleman's amendment would effectively strike out the five supergrades provided on page 5 of the bill?

Mr. HENDERSON. That is the only thing it does do. Inasmuch as I had an earlier conversation with the gentleman with regard to the language that does exempt these appointments from the regular civil service laws and regulations, let me say I was very much impressed in my conference with the chairman of the committee, that this being a 5-year Commission, it has unusual and unique problems. I understand the difficulty of getting personnel to go to work for that period of time. But I do feel very strongly that we should not exempt those in the supergrade brackets and I am very hopeful that the members of the committee will not oppose the amendment, if they do not feel they can accept it.

Mr. GROSS. I thought it was understood by all the committees of the Congress that there has now been established a pool of supergrades under the jurisdiction of the Civil Service Commission and that the committees were expected in the enactment of legislation, if they made provision for additional employees, to go to that pool. I find nothing at all modest about the House Committee on Interior and Insular Affairs this afternoon when I pick up the bill and read this language, "without regard to civil service laws and regulations"—and without regard to 5 U.S.C. 51, all of which means an attempt to sidestep the Civil Service Commission and out of hand provide this new Commission with a bunch of highly paid employees.

I commend the gentleman for his amendment.

Mr. HENDERSON. Let me say that I am sure this language was sent up by the Bureau of the Budget and was recommended by them. I think the gentleman will join me and other members of the Manpower Subcommittee, in seeing that the Bureau of the Budget and the executive takes notice of the fact that Congress has established a way for them to get supergrades. We have been good in granting their request. Certainly the House last year had to carry the burden of the legislative battle up here. I know

that the gentleman from Iowa was eminently involved in that. If they do not stop sending legislation up here creating supergrade positions, I think they are going to have a hard time getting their supergrade positions through the regular method before our subcommittee.

Mr. GROSS. I will say to the gentleman, this was the control we tried to provide for in Public Law 801 which was the basis for my point of order, and which was overruled. I suppose that unless the Committee on Rules now waives points of order on all bills that committees can be protected by decisions from the Chair. I am sure the executive branch of Government was spared considerable embarrassment when the point of order was not sustained.

(Mr. DULSKI asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DULSKI. Mr. Chairman, I rise in support of the amendment offered by my colleague, Hon. DAVID N. HENDERSON, of North Carolina. This amendment by the chairman of our Subcommittee on Manpower and Civil Service, is most timely and quite important. It is timely in the sense that currently his subcommittee is holding public hearings relative to the need for additional supergrades in the Federal Government. In fact, he has recently introduced a bill, H.R. 10376, to provide for over 200 additional supergrades.

Under the rules of the Senate and the House of Representatives and the Legislative Reorganization Act of 1946, the Committees on Post Office and Civil Service of the Senate and the House are vested with exclusive legislative jurisdiction, and charged with the duty of exercising legislative oversight and supervision with respect to all matters within the purview of the Classification Act of 1949. This statement is to be found in Public Law 87-367.

Whenever departments, agencies, or commissions require top level jobs; namely, GS-16, GS-17, and GS-18, it is the well-established procedure in the executive branch for such managing officials to go to the Civil Service Commission for review of the position as to the proper pay level.

It is quite important that the House adopt Mr. HENDERSON's amendment. If we are to continue to maintain principles of the merit system we must require the commissions, agencies, and departments to abide by the rules and regulations of the civil service processes. Mr. HENDERSON's amendment merely places the classification of jobs in accord with the well founded civil service laws and regulations.

I urge the House to support Mr. HENDERSON's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. HENDERSON].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CHARLES H. WILSON, Chairman of the Committee of the Whole House on

the State of the Union, reported that that Committee having had under consideration the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes, pursuant to House Resolution 678, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 369, nays 18, not voting 44, as follows:

[Roll No. 165]

YEAS—369

Abbitt	Byrnes, Wis.	Evans, Colo.
Adair	Cabell	Everett
Adams	Cahill	Evins, Tenn.
Addabbo	Carey	Fallon
Albert	Carter	Farbstein
Anderson, Ill.	Casey	Fascell
Anderson, Tenn.	Cederberg	Findley
Andrews, Ala.	Celler	Fino
Andrews, N. Dak.	Chamberlain	Fisher
Annunzio	Clancy	Flood
Arends	Clark	Foley
Ashbrook	Clausen, Don H.	Ford, William D.
Ashley	Cleveland	Fountain
Aspinall	Cohelan	Fraser
Ayres	Colmer	Frelinghuysen
Barrett	Conable	Friedel
Bates	Conte	Fulton, Pa.
Battin	Conyers	Fulton, Tenn.
Belcher	Corbett	Fuqua
Bell	Corman	Galifianakis
Bennett	Cowger	Gallagher
Betts	Cramer	Gardner
Bevill	Culver	Garmatz
Blester	Cunningham	Gathings
Bingham	Curtis	Gettys
Blackburn	Daddario	Giaino
Blanton	Daniels	Gibbons
Blatnik	Davis, Ga.	Gilbert
Boggs	Dawson	Gonzalez
Boland	de la Garza	Goodell
Bolling	Delaney	Goodling
Brademas	Dellenback	Gray
Brasco	Denney	Green, Oreg.
Bray	Derwinski	Green, Pa.
Brinkley	Devine	Griffiths
Brock	Dickinson	Grover
Brooks	Dole	Gubser
Broomfield	Donohue	Gude
Brotzman	Dow	Gurney
Brown, Calif.	Dowdy	Hagan
Brown, Mich.	Downing	Haley
Brown, Ohio	Dulski	Halleck
Broyhill, N.C.	Duncan	Halpern
Broyhill, Va.	Dwyer	Hamilton
Buchanan	Eckhardt	Hammer-
Burke, Fla.	Edwards, Ala.	schmidt
Burke, Mass.	Edwards, Calif.	Hanley
Burleson	Edwards, La.	Hansen, Idaho
Burton, Calif.	Eilberg	Hardy
Button	Erlebenborn	Harrison
Byrne, Pa.	Esch	Harsha
	Eshleman	Harvey



Hathaway	Mize	Scheuer
Hawkins	Montgomery	Schneebell
Hays	Morgan	Schweiker
Hechler, W. Va.	Morris, N. Mex.	Schwengel
Heckler, Mass.	Morse, Mass.	Scott
Helstoski	Morton	Selden
Henderson	Moshier	Shriver
Hicks	Multer	Sikes
Holifield	Murphy, Ill.	Sisk
Horton	Murphy, N.Y.	Slack
Howard	Myers	Smith, Iowa
Hull	Natcher	Smith, Okla.
Hunt	Nedzi	Snyder
Hutchinson	Nelsen	Springer
Ichord	Nix	Stafford
Irwin	O'Hara, Ill.	Staggers
Jacobs	O'Hara, Mich.	Stanton
Jarman	Olsen	Steed
Joelson	O'Neill, Mass.	Steiger, Ariz.
Johnson, Calif.	Ottinger	Steiger, Wis.
Johnson, Pa.	Patman	Stephens
Jonas	Patten	Stratton
Jones, Ala.	Pelly	Stubblefield
Jones, N.C.	Pepper	Stuckey
Karsten	Perkins	Sullivan
Karsh	Pettis	Taft
Kastenmeier	Philbin	Talcott
Kazen	Pickle	Taylor
Kee	Pike	Teague, Calif.
Keith	Pirnie	Teague, Tex.
Kelly	Poage	Tenzer
King, N.Y.	Poff	Thompson, Ga.
Kirwan	Pollock	Thompson, N.J.
Kleppe	Pool	Thomson, Wis.
Kluczynski	Price, Ill.	Tiernan
Kornegay	Price, Tex.	Udall
Kupferman	Pryor	Ullman
Kuykendall	Pucinski	Utt
Kyros	Qule	Van Deerlin
Laird	Quillen	Vander Jagt
Landrum	Rallsback	Vanik
Langen	Randall	Vigorito
Leggett	Rarick	Waldie
Lennon	Rees	Walker
Lipscomb	Reid, Ill.	Wampler
Lloyd	Reid, N.Y.	Watkins
Long, Md.	Reifel	Watts
Lukens	Reinecke	Whalen
McCarthy	Resnick	Whalley
McClory	Reuss	White
McCulloch	Rhodes, Ariz.	Whitener
McDonald,	Rhodes, Pa.	Whitten
Mich.	Riegle	Widnall
McEwen	Roberts	Wiggins
McFall	Robison	Williams, Miss.
McMillan	Rodino	Williams, Pa.
MacGregor	Rogers, Colo.	Willis
Machen	Rogers, Fla.	Wilson, Bob
Madden	Ronan	Wilson,
Mahon	Rooney, N.Y.	Charles H.
Mailliard	Rooney, Pa.	Wolff
Marsh	Rosenthal	Wright
Mathias, Calif.	Rostenkowski	Wyatt
Mathias, Md.	Roth	Wydler
Matsunaga	Roudebush	Wyllie
May	Roybal	Wyman
Mayne	Rumsfeld	Yates
Meskill	Ruppe	Young
Miller, Calif.	Ryan	Zablocki
Mills	Sandman	Zion
Minish	Satterfield	Zwach
Mink	Saylor	
Minshall	Schadeberg	

## NAYS—18

Abernethy	Hosmer	Scherle
Bow	Jones, Mo.	Skubitz
Davis, Wis.	Latta	Smith, Calif.
Edmondson	Long, La.	Waggonner
Flynt	Michel	Winn
Gross	Miller, Ohio	
Hall	Passman	

## NOT VOTING—44

Ashmore	Hansen, Wash.	Moorhead
Baring	Hébert	Moss
Berry	Herlong	Nichols
Bolton	Holland	O'Konski
Burton, Utah	Hungate	O'Neal, Ga.
Bush	King, Calif.	Purcell
Clawson, Del.	Kyl	Rivers
Collier	McClure	Roush
Dent	McDade	St Germain
Diggs	Macdonald,	St. Onge
Dingell	Mass.	Shipley
Dorn	Martin	Smith, N.Y.
Feighan	Meeds	Tuck
Ford, Gerald R.	Monagan	Tunney
Hanna	Moore	Watson

So the bill was passed.  
The Clerk announced the following pairs:

Mr. Hébert with Mrs. Bolton.  
Mr. Feighan with Mr. Gerald R. Ford.  
Mr. St. Onge with Mr. Frelinghuysen.  
Mr. Monagan with Mr. Moore.  
Mr. Hungate with Mr. Martin.  
Mr. Dent with Mr. Smith of New York.  
Mr. Shipley with Mr. McClory.  
Mr. St Germain with Mr. Kyl.  
Mr. Moss with Mr. Del Clawson.  
Mr. O'Neal of Georgia with Mr. Berry.  
Mr. Roush with Mr. Bush.  
Mr. Dingell with Mr. O'Konski.  
Mr. Diggs with Mr. Tunney.  
Mr. King of California with Mr. McDade.  
Mr. Macdonald of Massachusetts with Mr. Collier.  
Mr. Rivers with Mr. Watson.  
Mr. Moorhead with Mr. Burton of Utah.  
Mr. Baring with Mr. Ashmore.  
Mr. Dorn with Mr. Hanna.  
Mr. Holland with Mr. Herlong.  
Mr. Nichols with Mr. Tuck.  
Mr. Purcell with Mr. Meeds.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

## GENERAL LEAVE TO EXTEND

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## PERSONAL ANNOUNCEMENT

Mr. PEPPER. Mr. Speaker, yesterday I was necessarily absent from the House. Had I been present on rollcall No. 163, on the bill to extend the Civil Rights Commission, I would have voted "yea."

## PROHIBITION ON USE OF FINANCIAL INSTITUTIONS AS LOTTERY AGENCIES

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 671 and ask for its immediate consideration. The Clerk read the resolution, as follows:

## H. RES. 671

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. ANDERSON] for 1 hour.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. LATTI] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 671 provides an open rule with 2 hours of general debate for consideration of H.R. 10595 to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities.

The Federal Government has long exercised a degree of control of State-chartered banks through the FDIC, which rules on branching and merger applications of State banks that are not members of the Federal Reserve System. Only last year, Congress passed legislation to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations.

H.R. 10595 prohibits federally chartered or insured banks and savings and loan associations from selling or otherwise dealing in lottery tickets, from advertising lotteries, and from announcing lottery winners or keeping records of participants and winners as such. The bill also prohibits these institutions from permitting the use of premises under their control for any of these purposes.

There is no interference whatever with customary banking services. Banks may continue to perform any other services which they are now authorized to perform, without being obliged to inquire into the nature of the customer's business any more than under existing law. The bill merely provides that the covered institutions cannot directly participate in the gambling activities specified in the bill, or permit these specified activities to be carried out on premises under their control.

Mr. Speaker, I urge the adoption of House Resolution 671 in order that H.R. 10595 may be considered.

Mr. LATTI. Mr. Speaker, as stated by the gentleman from Tennessee [Mr. ANDERSON], House Resolution 671 provides for 2 hours of debate, at the conclusion of which the bill shall be read under the 5-minute rule and open for amendment at any point.

The purpose of the bill is to prohibit federally chartered or insured banks and savings and loan associations from selling or dealing in lottery tickets or otherwise becoming involved in the operation of a lottery. The bill also prohibits such institutions from permitting the use of any premises under their control for such purposes. There is no interference with normal banking services or operations.

The proposed New York State lottery has created this situation as financial institutions were to be agents for the selling of tickets, keeping records, et cetera. The committee believes that this is an improper activity for financial institutions.

There are a number of supplemental and dissenting views filed. Seven members support the purpose of the bill but believe that it should not become effective until April 1, 1968, thus giving the New York Legislature time to make other









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12. CCC. The Armed Services Committee reported with amendment H. R. 16703, the military construction bill, which includes funds for the payment on the debt to the Commodity Credit Corp. for foreign currencies used in prior years to construct military family housing overseas (S. Rept. 1232). p. S7147
13. TRAILS. The Interior and Insular Affairs Committee reported with amendments S. 827, to establish a nationwide system of trails (S. Rept. 1233). p. S7147
14. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendment S. 3058, to increase authorizations for water resources planning activities (S. Rept. 1234). p. S7147  
Conferees were appointed on S. 20, to provide for a comprehensive review of national water resource problems and programs. p. S7212
15. WILDLIFE. The Commerce Committee reported with amendments H. R. 15979, to prevent or minimize injury to fish and wildlife from the use of pesticides (S. Rept. 1236). p. S7147  
Sen. Hansen inserted an article "Who Owns the Game?--Part II." pp. S7164-6
16. BALANCE OF PAYMENTS. H. R. 16162, to improve the U. S. balance-of-payments situation through loan and other programs of the Export-Import Bank, was ordered to be placed on the calendar. p. S7147
17. CREDIT UNIONS. Passed with amendments H. R. 6157, authorizing payroll savings deductions for credit union shares for Federal employees. pp. S7223-4
18. INFORMATION. Passed as reported H. R. 6279, to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data. p. S7224
19. TECHNICAL SERVICES. Passed with amendments S. 3245, to extend for an additional two years the authorization of appropriations under the State Technical Services Act of 1965. p. S7225
20. SOLID WASTES. The Public Works Committee voted to report (but did not actually report) S. 3201, extending for 1 year the provisions on research and assistance for State and interstate planning for solid waste disposal. p. D549
21. APPROPRIATIONS. Passed without amendment H. J. Res. 1268, making supplemental appropriations for fiscal year 1968 for highways and certain claims. The Appropriations Committee reported the bill without amendment June 12 (S. Rept. 1227). This bill will now be sent to the President. pp. S7212-23

22. EXPORT-IMPORT BANK. Began consideration of S. 3218, to enable the Export-Import bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States. By unanimous-consent agreement this bill will become the pending business on Mon., June 17. p. S7225
23. GRAINS. Agreed, 62-21, to the resolution of ratification of the International Grains Arrangement 1967. pp. S7193-7212
24. CONSERVATION. Sen. Metcalf inserted two editorials urging congressional action on conservation and water resource projects. p. S7166
25. RESEARCH. Sen. Morse inserted an article "Productivity Interaction: Basis for Science Education in the 21st Century." pp. S7166-7
26. PERSONNEL. Sen. Ervin spoke in support of the bill to protect the constitutional rights of employees of the executive branch of the Government and to prohibit unwarranted governmental invasions of their privacy and inserted his comments before the Greensboro, N. C., Bar Association on this subject. pp. S7181-3
27. FOREIGN TRADE. Sen. Mondale hoped that Congress will not overlook the "crucial importance of East-West trade opportunities both in the interest of a response to the events in Eastern Europe and a response to American trade difficulties" and inserted an editorial on the subject. pp. S7177-8
28. RECLAMATION. Sen. Mundt spoke of the water shortage in such agricultural States as S. Dak., and inserted an address by Commissioner of Reclamation Floyd E. Dominy, "Irrigation Moves Into the 21st Century." pp. S7171-3
29. HUNGER. Sen. Metcalf praised this Department's development of high-protein foods as a major source of protein for humans. pp. S7169-70  
Sen. McGovern inserted the text of Sen. Montoya's bill relative to relief for the hungry. pp. S7187-8
30. POVERTY. Sen. McIntyre inserted an article from an OEO Bulletin, "Rural Communities of May 1968" relative to antipoverty programs in New Hampshire. p. S7169  
Sen. Brooke inserted the text of the "poor people's" demands including those made of this Department. pp. S7170-1
31. ADJOURNED until Mon., June 17. p. S7269

EXTENSION OF REMARKS

32. ELECTRIFICATION. Sen. Metcalf inserted two statements presenting arguments in favor of the proposed Electric Power Reliability Act. pp. E5351-3



mously to any change in price schedule, so that the voice of a single member could frustrate the request made by any other member, I find little consolation in this argument.

Finally, it is argued that if we fail to obtain satisfaction from a request to the Prices Review Committee, "the convention does not preclude an exporting country from pricing below the schedule of minimum prices."

I do not think much of this argument. An agreement which gives any signatory power the right to depart from its terms if it finds them inconvenient, is certainly not much of an agreement.

Moreover, I think the record will show that we tend to be much more fastidious about violating agreements or opting out of them than do other nations. Unless the International Grains Arrangement proved itself to be utterly disastrous, my conviction is that we would be prepared to suffer very serious inconveniences before accepting the onus of disrupting the arrangement.

It is true that the arrangement is accompanied by the Food Aid Convention under which the developed countries have pledged to give assistance in the form of food to the needy countries of the world.

In the sense that we were able to persuade at least some other nations to increase their contributions of grain to needy nations, the Food Aid Convention represents progress. Nevertheless, it must be noted that the level of the contributions agreed to represents only half of the original goal of the U.S. negotiators, and that the total increase of food aid resulting from the convention will, therefore, be limited.

I must say frankly that I am disappointed that we were not able to persuade other nations to do more.

I also believe that our negotiators were overly generous in agreeing that the United States should provide 42 percent of all the food aid made available under the convention; and I find their excessive generosity all the more disturbing because of our acute balance-of-payments problem.

I think that it is our duty to do what we can to help hungry people in other parts of the world. But I also think it is our duty to bring pressure to bear on other nations to pick up a larger share of the burden which we have carried for so many years in the post war period.

The unpublicized negotiations in Geneva, in my opinion, constituted a totally unsatisfactory vehicle for such an effort.

It is my belief that we should raise the question of the need for an international food aid agreement at the United Nations; that we should set forth for the record all that we have done since the close of World War II; and that, using the glare of publicity that attends U.N. sessions as a frank instrument of embarrassment and political pressure, we should seek to get other nations to increase their contributions, both in terms of metric tons of grain contributed and in terms of their percentage of the total contribution.

Let us by all means continue to be generous. But let us insist that others bear an equitable share of the burden of generosity.

For the reasons stated here, I believe that the International Grains Arrangement is not in the national interest and I shall, with reluctance, vote against it.

Mr. SPARKMAN. Mr. President, I yield the remainder of my time to the distinguished Senator from Louisiana [Mr. ELLENDER], the chairman of the Committee on Agriculture and Forestry.

Mr. ELLENDER. Mr. President, it was my privilege to say a few words earlier today concerning this convention. I may therefore be repeating what I said then, but I think it is important to emphasize that the International Grains Arrangement is no radical departure from the past. It is only a continuation of the International Wheat Agreements that the Senate has been approving since 1949.

The countries which agreed to the convention are those which produce in excess of their requirements as well as those which are importers. The convention would make it possible, under its terms, to raise the price of wheat about 20 to 23 cents per bushel in contrast to what the old wheat agreements held.

Mr. President, unless something of this nature is passed, I predict that because of the excess wheat now on hand, not only in this country, but also in other large wheat producing countries, severe cutthroat competition will result. Certainly we do not want that to happen, because those who will suffer will be the wheatgrowers—the farmers.

It strikes me that we should do all we can to protect the wheat farmers of this country.

The convention fixes the minimum and the maximum price at which wheat is to be sold and purchased by countries which export wheat and those which do not produce enough.

Another good feature of the new convention is that the wheat will be priced according to U.S. grades. That is in the convention.

There is a second feature of the convention which never appeared in any of the old wheat agreements; namely, the provision which makes it possible for us to obtain assistance from wheat and grain exporting countries to carry part of the enormous load of feeding many people in countries unable to produce sufficient grain and food for themselves.

Mr. President, for the past 4 or 5 years, the United States has been carrying the load of contributing food to the underprivileged and undernourished countries of the world.

Two years ago, the United States furnished about 80 percent of the grain and wheat requirements of India. We had a hard time obtaining some assistance from other than a handful of countries.

Today, we have promises from those who will sign this convention that they will furnish around 58 percent of the amount of grain that will be needed to help India and other countries which are deficient in food production.

I think that in itself is a good reason why the Senate should adopt the convention.

Japan, which does not produce wheat to any extent, has agreed to furnish its just proportion, by way of money, in order to provide food for India and other

countries that cannot produce sufficient food for their own needs.

I cannot, for the life of me, understand why there should be any opposition to the convention. It certainly would not be harmful to our country. It seems to me that approval of the convention would aid our country and our farmers. With the enormous amount of wheat we now have on hand, if the convention should fail, it will mean that we will have severe competition—yes, cutthroat competition—without any price regulation whatever. This would be harmful to our farmers. We would be selling wheat at a price per bushel far less than prevailing prices. This would hurt our balance of payments.

As I said, let us take advantage of the second part of the convention and get the countries well able to assist us in carrying the load to feed the underprivileged and the hungry from Pakistan, India, and other parts of the world. This is a new feature and one well worth trying.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Is it not true that at this moment there is pending a substantial contract with Japan which will be most beneficial to the American wheat rancher?

Mr. ELLENDER. The Senator is correct.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The hour of 2:30 having arrived, the Senate will now proceed to vote on the resolution of ratification of Executive A, 90th Congress, second session, the International Grains Arrangement of 1967. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. DODD. Mr. President, on this vote I have a pair with the Senator from Tennessee [Mr. GORE] and the Senator from Texas [Mr. YARBOROUGH]. If they were present and voting, they would vote "yea." If I were permitted to vote, I would vote "nay." Therefore I withhold my vote.

Mr. PELL. Mr. President, on this vote I have a pair with the Senator from Alaska [Mr. BARTLETT] and the Senator from Minnesota [Mr. MCCARTHY]. If they were present and voting, they would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr.



KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. McCARTHY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. MORTON], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Illinois [Mr. PERCY] would each vote "nay."

The yeas and nays resulted—yeas 62, nays 21, as follows:

[No. 185 Ex.]

#### YEAS—62

Aiken	Hayden	Mundt
Bayh	Hill	Muskie
Bible	Holland	Nelson
Boggs	Inouye	Pearson
Brewster	Jackson	Prouty
Brooke	Javits	Proxmire
Burdick	Jordan, N.C.	Randolph
Byrd, Va.	Jordan, Idaho	Ribicoff
Byrd, W. Va.	Kuchel	Russell
Cannon	Long, La.	Scott
Carlson	Magnuson	Sparkman
Clark	Mansfield	Spong
Cooper	McClellan	Stennis
Eastland	McGee	Symington
Ellender	McGovern	Talmadge
Ervin	McIntyre	Tower
Griffin	Metcalf	Tydings
Gruening	Mondale	Williams, N.J.
Harris	Monroney	Young, N. Dak.
Hart	Morse	Young, Ohio
Hatfield	Moss	

#### NAYS—21

Allott	Fannin	Lausche
Baker	Fong	Miller
Case	Hansen	Murphy
Cotton	Hartke	Pastore
Curtis	Hickenlooper	Smith
Dirksen	Hollings	Thurmond
Dominick	Hruska	Williams, Del.

#### PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Dodd, against.  
Pell, against.

#### NOT VOTING—14

Anderson	Gore	Morton
Bartlett	Kennedy	Percy
Bennett	Long, Mo.	Smathers
Church	McCarthy	Yarborough
Fulbright	Montoya	

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified immediately of the ratification of this arrangement.

The PRESIDING OFFICER. Without objection it is so ordered.

#### LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

#### REVIEW OF NATIONAL WATER RESOURCE PROBLEMS AND PROGRAMS

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a

message from the House of Representatives on S. 20.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill S. 20, to provide for a comprehensive review of national water resource problems and programs, and for other purposes, which were, on page 1, strike out all after line 7 over through and including line 4, page 2, and insert:

(b) The Commission shall be composed of seven members who shall be appointed by the President and serve at his pleasure. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, or shall be a retired officer or employee of the United States who is currently drawing or is entitled to draw currently an annuity or retired pay.

On page 2, line 13, strike out "by law (5 U.S.C. 73b-2)" and insert "by 5 U.S.C. sec. 5703";

On page 2, line 17, strike out "President" and insert "Commission";

On page 2, line 17, strike out all after "rate" down through and including "Schedule." in line 19, and insert "determined by the U.S. Civil Service Commissioners";

On page 3, line 18, strike out all after "comment." down through and including "reports." in line 21, and insert "The Commission shall submit simultaneously to the President and to the United States Congress such interim and final reports as it deems appropriate, and the Council shall submit simultaneously to the President and to the United States Congress its views on the Commission's reports";

On page 4, line 12, strike out "the Classification Act of 1949 as amended, and insert "5 U.S.C. ch. 52,";

On page 4, line 14, strike out all after "Commission" down through and including "amended" in line 18.

On page 4, line 18, strike out all after "by" down through and including "55a)" in line 19, and insert "5 U.S.C., sec. 3109";

On page 6, line 24, strike out "(5 U.S.C. 46e)" and insert "(5 U.S.C., sec. 5514)"; and

On page 7, line 8, strike out "such sums as are required" and insert "not to exceed \$5,000,000".

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendments of the House and request a conference with the House thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. JACKSON, Mr. ANDERSON, Mr. BIBLE, Mr. CHURCH, Mr. GRUENING, Mr. KUCHEL, Mr. ALLOTT, and Mr. JORDAN of Idaho conferees on the part of the Senate.

#### SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR ENDING JUNE 30, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1205, House Joint Resolution 1268.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint res-

olution (H.J. Res. 1268) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported without amendment, by the Committee on Appropriations.

The PRESIDING OFFICER. The Senate will be in order. If attachés wish to remain on the floor, they will be quiet and stay in the rear of the Chamber.

The Senator from Rhode Island is recognized.

Mr. PASTORE. Mr. President, the resolution provides \$400 million for Federal-aid highways, to be derived from the highway trust fund. In addition, the resolution provides an appropriation of \$50,980,863 for the payment of claims and judgments. This later item of \$50,980,863 has previously passed both Houses and has been agreed to in conference in connection with another supplemental bill, which is still in conference.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. PASTORE. Mr. President, the \$400 million is liquidating cash to cover estimated reimbursements to the States during the remainder of fiscal year 1968. The need for the \$400 million is due to the releases of additional funds to the States during fiscal year 1967 after restrictions, which were previously placed on such funds, were eliminated.

The highway program operates under contract authorizations granted in an authorization act, and the funds required and recommended are to liquidate obligations made pursuant to law. The regular annual appropriation contained in the regular bill is in the amount of \$3,770,872,000, and with this additional \$400 million, a total of \$4,170,872,000 will be provided for fiscal year 1968.

After the proposed expenditures have been made from the funds provided, there will be a balance of \$930 million in the highway trust fund at the end of fiscal year 1968.

Mr. STENNIS. Mr. President, will the Senator yield to permit me to make a request for order? This matter is of the utmost importance to every Senator.

The PRESIDING OFFICER. The Chair has announced twice that attachés who wishing to remain in the Chamber will remain silent.

The Chamber will be cleared if we do not have order. Senators who are in the Chamber are asked to be seated.

Mr. PASTORE. Mr. President, this matter came to our attention at the behest of the Secretary of Transportation, who pointed out that in many States contracts have been entered into, work has been done, and payment cannot be made because these funds need to be replenished, by appropriation from the trust fund.

Many States, of course, cannot borrow money. Unless we pass the joint resolution as an emergency measure, I am afraid that contractors in many States will go unpaid because the States can-









House

July 17, 1968

- 3 -

12. WATERSHEDS. The Agriculture and Forestry Committee approved plans for works of improvement on several watershed projects. p. D695
13. GUAM. A subcommittee of the Interior and Insular Affairs Committee approved for full committee consideration with amendments S. 3072, increasing authorizations for the rehabilitation of Guam. p. D696
14. MARITIME TRADES. Sen. Moss inserted the statement of Sen. Young, Ohio, on maritime policies, before the Maritime Trades Dept., AFL-CIO. pp. S8750-2
15. FOREIGN AFFAIRS. Sen. Young, Ohio, criticized the operations of AID in Vietnam. p. S8752
16. TIMBER SALES. Sen. Morse inserted his letter to Secretary Freeman expressing concern over the export of logs from national forest lands and an OGC "opinion" entitled "Reply to the Questions Submitted by Senator Morse of Oregon Relative to the Secretary's Authority to Sell Timber From National Forests for Export." pp. S8756-60
17. WHEAT. Sen. Dominick stated that since administration implementation of U. S. participation under the International Wheat Trade Convention "domestic prices have declined so far that export taxes are payable on the four kinds of wheat for which the Secretary of Agriculture announced minimum prices on June 13" thus "taxing exporters to bring prices up." p. S8771
18. FARM LOSSES. Sen. Metcalf discussed his bill to provide that farming losses incurred by persons who are not bona fide farmers may not be used to offset nonfarm income, inserted copies of Treasury's and Agriculture's views on same, and stated that he planned to introduce a new bill "which will incorporate the administration's suggestions." pp. S8782-5
19. PERSONNEL. Sen. Young, Ohio, criticized some Government agencies who have "taken it on to themselves to liberalize...travel rules" regarding employees required to work after dark. p. S8753
20. LEGISLATIVE PROGRAM. Sen. Byrd announced that the public works appropriation bill will follow the action on the independent offices appropriation bill on Thurs., the farm bill will go over until Mon., and the Transportation appropriation bill will be next week. p. S8826

HOUSE

21. RECLAMATION; WATER RESOURCES. Conferees were appointed on S. 1004, to ~~authorize the construction, operation, and maintenance of the central Arizona project, Ariz. New Mex., and S. 20, to provide for a comprehensive review of national water resource problems and programs (p. H6775). Senate conferees have been appointed.~~
22. PARKING. A subcommittee of the District of Columbia Committee approved for full committee action H. R. 17854, to provide for the construction of parking.

facilities in the District for Government employees and visitors to the District. p. D698

23. WILDERNESS. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 16771, to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N. J., as wilderness, and H. R. 13512, to designate the Mount Jefferson Wilderness, Willamette, Deschutes, and Mount Hood National Forests, Oreg. p. D698
24. INDIAN AFFAIRS. Rep. Berry criticized "poverty on the Indian reservations." p. H6777
25. HOUSING. Rep. Wylie spoke in support of the proposed Housing and Urban Development Act. pp. H6863-4

#### EXTENSION OF REMARKS

26. NAVIGATION. Rep. Wright inserted a copy of the official report prepared by the Office of the Chief of Engineers endorsing a navigation project on the Trinity River in Texas. pp. E6583-4
27. ECONOMY. Sen. Morton inserted Gov. Rockefeller's address on some of the grave economic problems that face our country today. pp. E6584-6
28. FARMERS. Rep. Zwach inserted an article on the recently formed Town and Country Action Association of Kandiyohi County, Minn., which hopes to solve all the problems facing rural areas including that of the farmer. p. E6589
29. HUNGER. Rep. Nix spoke in favor of the U. S. and the U. N. beginning efforts at once to alleviate the starvation situation in Biafra. pp. E6592-3
30. FOREIGN TRADE. Rep. Curtis inserted articles for and against trade with the Red Bloc. pp. E6596-8
31. FORESTS. Sen. Allott inserted the "Forest Policies of the Society of American Foresters." pp. E6601-2

#### BILLS INTRODUCED

32. FEDERAL AID. H. R. 18653 by Rep. Broomfield, to create a catalog of Federal assistance programs; to Government Operations Committee.
33. PERSONNEL. H. R. 18658 by Rep. McDade, to amend the Civil Service Retirement Act to authorize the retirement of employees after 25 years of service without reduction in annuity; to Post Office and Civil Service Committee.
34. WHEAT. S. 3847 by Sen. Morse, to authorize the Secretary of Agriculture to purchase wheat on the futures market in order to prevent depressed wheat prices; to Agriculture and Forestry Committee. Remarks of author pp. S8739-41



# House of Representatives

WEDNESDAY, JULY 17, 1968

The House met at 12 o'clock noon.  
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*My soul waits upon God; from Him comes my salvation.*—Psalm 62: 1.

O God of glory and Lord of life, we come to thee in this our morning prayer and waiting upon Thee we would turn away from the clamor and clatter of the confused world about us.

Help us to greet this new day with the joy of gratitude, to overcome our difficulties with increased devotion, to carry our burdens with added strength, and to meet all ills and accidents with a gallant and high-hearted happiness, giving Thee thanks always for all things.

Deliver us from disagreements which make us disagreeable, from differences which make a difference in our associations, and from resentments which ruin our relationships.

Make us adequate for every adjustment we have to make, ready for every responsibility we have to carry, and equal to every emergency which comes our way. In the midst of busy days may we not forget Thee or be unmindful that we are here to serve our people and to keep our country physically strong, mentally awake, and morally straight.

In the Master's name we pray. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT ON MILITARY CONSTRUCTION APPROPRIATIONS, 1969, UNTIL MIDNIGHT FRIDAY

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Friday, July 19, to file a privileged report on the military construction appropriation bill for the fiscal year 1969.

Mr. TALCOTT reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

### PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT ON DISTRICT OF COLUMBIA APPROPRIATIONS, 1969, UNTIL MIDNIGHT, JULY 18

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, July 18, 1968, to file a priv-

ileged report on the appropriations bill for the District of Columbia for the fiscal year 1969.

Mr. DAVIS of Wisconsin reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

### APPOINTMENT OF CONFEREES ON S. 1004, CENTRAL ARIZONA PROJECT

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. ASPINALL, JOHNSON of California, EDMONDSON, UDALL, SAYLOR, HOSMER, and BURTON of Utah.

### APPOINTMENT OF CONFEREES ON S. 20, COMPREHENSIVE REVIEW OF NATIONAL WATER RESOURCE PROBLEMS AND PROGRAMS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 20), to provide for a comprehensive review of national water resource problems and programs, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

The Chair hears none, and appoints the following conferees: Messrs. ASPINALL, JOHNSON of California, HALEY, SAYLOR, and REINECKE.

### MAILING OF MASTER KEYS FOR MOTOR VEHICLE IGNITION SWITCHES

Mr. NIX. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 14935), to amend title 39, United States Code, to regulate the mailing of master keys for motor vehicle ignition switches, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That sections 1 through 4 of this Act may be cited as the 'Auto Theft Prevention Act.'"

"SEC. 2. (a) Chapter 51 of title 9, United States Code, is amended by adding at the end thereof the following new section:

"§ 4010. Nonmailable motor vehicle master keys

"(a) Except as provided in subsection (b), any motor vehicle master key, any pattern, impression, or mold from which a motor vehicle master key may be made, or any advertisement for the sale of any such key, pattern, impression, or mold, is nonmailable matter, shall not be deposited in, carried, or delivered by mail, and shall be disposed of as the Postmaster General directs.

"(b) The Postmaster General is authorized to make such exemptions from the provisions of subsection (a) as he deems necessary.

"(c) For the purposes of this section, 'motor vehicle master key' means any key (other than the key furnished by the manufacturer with the motor vehicle, or the key furnished with a replacement lock, or an exact duplicate of such keys) designed to operate two or more motor vehicle ignition, door, or trunk locks of different combinations."

"(b) The analysis of chapter 1 of such title, immediately preceding section 4001 of such chapter, is amended by adding at the end thereof the following new item:

"'4010. Nonmailable motor vehicle master keys.'"

"SEC. 3. Chapter 83 of title 18, United States Code, is amended—

"(1) by inserting after section 1716 the following new section:

"'§ 1716A. Nonmailable motor vehicle master keys

"'Whoever knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail according to the direction thereon, or at any place to which it is directed to be delivered by the person to whom it is addressed, any matter declared to be nonmailable by section 4010 of title 39, shall be fined not more than \$1,000, or imprisoned not more than one year, or both.'"

"(2) by inserting before item 1717 in the analysis of such chapter immediately preceding section 1691 of such title, the following new item:

"'1716A. Nonmailable motor vehicle master keys.'"

"SEC. 4. The amendments made by sections 1, 2, and 3 of this Act shall become effective sixty days after the enactment of this Act.

"SEC. 5. Section 5341 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) Whenever any Federal board, agency, or other group makes wage surveys for the purpose of establishing wage schedules for employees referred to in section 5102(c) (7) of this title, such board, agency, or other group shall make a determination of whether there exists in the wage area a sufficient number or kind of comparable positions or activities to establish prevailing



rates for one or more Federal positions or activities. After consideration of relevant evidence, including evidence submitted by employee organizations recognized as representative of employees in the area, a written decision shall be issued. If the board, agency, or other group finds that there is not a sufficient number or kind of comparable positions or activities, the rates for the area shall be in accordance with prevailing rates paid in another area which has a sufficient number of comparable positions or activities and which is determined by the board, agency, or other group to be most similar in the nature of its population, employment, manpower, and industry to the wage area for which rates are being determined.'

"SEC. 6. (a) Chapter 203 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 3061. Powers of postal inspectors

"(a) Subject to subsection (b) of this section, postal inspectors may, to the extent authorized by the Postmaster General—

"(1) serve warrants and subpoenas issued under the authority of the United States;

"(2) make arrests without warrant for an offense against the United States committed in their presence; and

"(3) make arrests without warrant for a felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such a felony.

"(b) The powers granted by subsection (a) of this section shall be exercised only in the enforcement of laws regarding property of the United States in the custody of the postal service, the use of the mails, and other postal offenses.'

"(b) The analysis of chapter 203 of title 18, United States Code, immediately preceding section 3041, is amended by adding at the end thereof the following new item:

"'3061. Powers of postal inspectors.'"

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object, the committee has been kind enough to provide me with information with respect to this bill, but I think it would be well for the gentleman from Pennsylvania, if he is so disposed, to make a brief statement concerning the history of the original legislation as it left the House and what transpired with respect to the other body.

Mr. NIX. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the distinguished gentleman from Pennsylvania.

Mr. NIX. Mr. Speaker, as the gentleman from Iowa, a member of the Postal Operations Subcommittee and of the Manpower and Civil Service Subcommittee, will recall, H.R. 14935 passed the House on a voice vote, under suspension of the rules, on February 19, 1968.

As passed by the House, the bill consisted entirely of provisions for reasonable regulation of the mailing of master keys for motor vehicle ignition switches.

The Senate amended the bill to include a provision relating to the issuance of warrants and subpoenas, and the making of arrests, by postal inspectors, as well as a provision that would materially alter the historic policy with respect to the fixing of salary rates for Federal civilian employees under the wage board system.

The provision with respect to postal inspectors would place an affirmative provision in title 18 of the United States Code to continue, in positive terms, the warrant, subpoena, and arrest authorities of the Postal Inspection Service which are not now spelled out in title 18. A separate bill for the same purpose, H.R. 18100, was reported favorably yesterday by the Committee on the Judiciary. We are advised that the Committee on the Judiciary has no objection to proceeding with the inclusion of this provision in H.R. 14935.

The other provision added by the Senate, relating to wage board pay rates. We are advised by the chairman of the Subcommittee on Manpower and Civil Service that this provision is unacceptable to that subcommittee.

The amendment which I have offered will strike from the bill that part of the Senate amendment which relates to wage board salary-fixing procedure. It would retain the provision for regulation of the mailing of master keys. It would also retain the provision with respect to the Postal Inspection Service—which is identical to the provisions of H.R. 18100 as reported by the Committee on the Judiciary.

I believe that enactment of H.R. 14935 with this amendment will be in the best interests of the public and the Government.

Mr. GROSS. Mr. Speaker, I thank the gentleman for his explanation, and point out to the Members of the House that in one instance totally ungermane subject matter has been added by the Senate to this bill, and in the other the jurisdiction of another House committee would be invaded by the passage of this bill.

Mr. Speaker, I have no doubt that the amendment which has been adopted to this bill, coming from the Judiciary Committee, is meritorious. The other amendment, so far as I am concerned, has no merit and is totally ungermane to this bill.

With great reluctance, because of the fairness of the gentleman from Pennsylvania [Mr. NIX], I must object to the consideration of this bill as it is presently being offered by the gentleman, for the reason that I have long opposed the too frequent action of the Senate in attaching wholly ungermane amendments to bills sent to that body by the House.

The SPEAKER. The gentleman objects to the request of the gentleman from Pennsylvania.

Mr. GROSS. Mr. Speaker, I do object. The SPEAKER. Objection is heard.

#### APPOINTMENT OF CONFEREES ON H.R. 14935, MAILING OF MASTER KEYS FOR MOTOR VEHICLE IGNITION SWITCHES

Mr. NIX. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 14935) to amend title 39, United States Code, to regulate the mailing of master keys for motor vehicle ignition switches, and for other purposes, with a Senate amendment thereto, disagree to the amendment of the Senate, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Penn-

sylvania? The Chair hears none, and appoints the following conferees: Messrs. DULSKI, HENDERSON, OLSEN, NIX, CORBETT GROSS, and CUNNINGHAM.

#### CORRECTION OF ROLL CALL

Mr. ROGERS of Colorado. Mr. Speaker, on roll call No. 251, on July 15, a quorum call, I am recorded as absent. I was present and answered to my name. I ask unanimous consent that the permanent Record and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

#### CORRECTION OF VOTE

Mr. HELSTOSKI. Mr. Speaker, on roll call No. 257 I am recorded as not voting. I was present and voted "yea." I ask unanimous consent that the permanent Record and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### REACTION TO VIOLENCE

(Mr. MORRIS of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MORRIS of New Mexico. Mr. Speaker, every conscientious person is appalled by violence, particularly when such violence results in the death of a human being regardless of whether or not the individual is a person of great fame and prestige—it is still the sacrifice of a human life.

It seems to me that a contributing factor to these tragedies reverts to a basic attitude of threats and retaliation. A mentally deranged person or a criminal may react by shooting, stabbing or other act of violence because of his ignorance or incompetence. This may be understandable but what I do not understand is the generally accepted attitude of threats so prevalent today, not only among individuals, but also perpetrated by organizations.

For instance, just this morning I was appalled to read on page A23 of the Washington Post an advertisement authored by a supposedly respectable lobbying committee and sponsored and encouraged by the administration which stated:

We remind Congress it is not now or never. It is now or November.

This blatant political threat will probably add nothing to their cause but it will do great harm to the Nation because the individual who does not know better may conclude that threats are the American way. What our country needs is not more laws or threats but more respect and love for our fellow human beings.

(Mr. MORSE of Massachusetts asked and was given permission to address the









Sept 4, 1968

10. RECLAMATION. Received the conference report on S. 1004, to authorize the construction, operation, and maintenance of the central Arizona project, Arizona, N. Mex. (H. Rept. 1861). pp. H8231-9  
The Interior and Insular Affairs Committee reported S. 224, to provide for the rehabilitation of the Eklutna project, Alaska (H. Rept. 1852). p. H8301
11. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendment S. 3058, to revise the authorization of appropriations for administering the provisions of the Water Resources Planning Act (H. Rept. 1858).  
Received the conference report on S. 20, to provide for a comprehensive review of national water resource problems and programs (H. Rept. 1862). p. H8239
12. FARM PROGRAM. Rep. Findley objected to the request for a conference on H. R. 17126, the farm bill (p. H8257), and stated several reasons for his objection (pp. H8296-7).
13. REPORTS. Received from the Government Operations Committee the following reports: "U. S. Aid Operations in Latin America Under the Alliance for Progress" (H. Rept. 1849). "Criteria for Support Service Cost Comparisons" (H. Rept. 1850). "Problem of the Poor: Supermarket Operations in Low-income Areas and the Federal Response" (H. Rept. 1851). p. H8301
14. PERSONNEL. The Post Office and Civil Service Committee reported with amendment H. R. 17954, to correct certain inequities and relieve certain liabilities arising out of overpayments of compensation to Government employees as a result of administrative error in the application of certain provisions of the Classification Act of 1949, the Federal Employees Salary Act of 1964, and other provisions of law (H. Rept. 1863). p. H8302
15. MANPOWER. Began debate on H. R. 15045, to extend certain expiring provisions under the Manpower Development and Training Act of 1962. pp. H8241-2, H8246-57
16. APPROPRIATIONS. Rep. Mahon summarized the unfinished appropriations business and stated that when the foreign assistance and the closing supplemental bills are reported the House will have reduced budgeted expenditures for 1969 by a figure approaching \$4 billion. pp. H8239-40
17. APPLES. Rep. Horton announced preparations for the annual apple harvest festival next week in Wayne County, New York. pp. H8297-8

EXTENSION OF REMARKS

18. U. S.-MEXICAN AFFAIRS. Rep. Roybal commended and inserted the first annual report of the Federal Inter-Agency Committee on Mexican American Affairs. pp. E7629-33

19. FARM PRICES. Rep. Zwach stated that the "monthly USDA report on prices received by farmers in relation to farm costs reveal the deary news that the farm parity level remained frozen at near depression levels of 73 percent." p. E7638
20. FARM PROGRAM. Rep. Steed objected to a \$20,000 payment limitation on the farm bill p. E7639
21. RECREATION. Rep. O'Hara, Mich., requested immediate establishment of Sleeping Bear Dunes Recreation Area before it becomes "another of America's lost conservation opportunities." pp. E7643-4
22. PESTICIDES. Rep. Dingell stated that the growing use of pesticides and herbicides poses a greater threat to fish and wildlife resources, and inserted an article, "DDT Moves with Runoff Waters." p. E7654
23. REPORTS. Several Representatives reported on recent activities of the Congress. pp. E7654-5, E7655-6, E7670-1, E7672
24. WATER CONSERVATION. Rep. Ullman inserted an article, "A Farmer's View--Water Need Call for Action." pp. E7660-1  
Rep. Fuqua commended and inserted Hollis Williams', SCS, speech "as an outstanding speech on the organization and responsibilities of soil and water conservation districts." pp. E7663-4
25. MANPOWER. Rep. Scherle suggested that the manpower program needs a review and expressed his objection to the "administration of the program, and the lack of control and monitoring of expenditures." pp. E7665-6

#### BILLS INTRODUCED

26. FARM CREDIT. S. 3986 by Sen. Ellender and H. R. 19418 by Rep. Poage, to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to expedite retirement of Government capital from Federal intermediate credit banks, production credit associations and banks for cooperatives; to S. Agriculture and Forestry and H. Agriculture Committees.
27. PERSONNEL. H. R. 19411 by Rep. Baring, to provide for improved employee-management relations in the Federal service; to Post Office and Civil Service Committee.  
H. R. 19421 by Rep. Fulton, Pa., to amend the Federal employees and retired Federal employees health benefits programs to insure that retired Federal employees do not have to pay twice for benefits which are provided both under such programs and under the health insurance program for the aged under the Social Security Act; to Post Office and Civil Service Committee.
28. FISHERIES. H. R. 19414 by Rep. Monagan, to extend the provisions of the Commerical Fisheries Research and Development Act of 1964; to the Merchant Marine and Fisheries Committee.



## COMPREHENSIVE REVIEW OF NATIONAL WATER RESOURCE PROBLEMS AND PROGRAMS

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SEPTEMBER 4, 1968.—Ordered to be printed

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Mr. ASPINALL, from the committee of conference,  
submitted the following

### CONFERENCE REPORT

[To accompany S. 20]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows:

In lieu of the language inserted by the House amendment insert the following:

*(b) The Commission shall be composed of seven members who shall be appointed by the President and serve at his pleasure. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.*

And the House agree to the same.

That the Senate recede from its disagreement to the amendments of the House numbered 2, 3, 4, 5, 6, 7, 8, 9, and 10.

WAYNE N. ASPINALL,  
HAROLD T. JOHNSON,  
JAMES A. HALEY,  
JOHN P. SAYLOR,  
ED REINECKE,

*Managers on the Part of the House.*

HENRY M. JACKSON,  
CLINTON P. ANDERSON,  
ALAN BIBLE,  
FRANK CHURCH,  
ERNEST GRUENING,  
THOMAS H. KUCHEL,  
PAUL J. FANNIN,  
LEN B. JORDAN,

*Managers on the Part of the Senate.*



## STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes between the two Houses on the amendments of the House to the bill, S. 20, to provide for a comprehensive review of national water resource problems and programs and for other purposes, submit this statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report.

The language agreed upon is the language of the House with one exception. House amendment No. 1 includes a provision prohibiting appointment to the Commission of retired officers or employees of the United States. The conference committee recommends the removal of this language.

Although, therefore, the conference report language contains no restriction on the appointment of a retired officer or retired civilian employee of the United States as a member of the National Water Commission, it is clear that the appointment of retired Federal officials who have been deeply involved in Federal water resources development activities would not be consistent with the administration's stated position on the composition of this Commission. In his testimony before the House committee, Secretary Udall stated:

It [the Commission] is an outside Government approach to the problem on the assumption, I think, that when you look at the big water problems that we face in the next 25 or 50 years, that it is wise from time to time not merely to have Government agencies and Government people make studies but to have distinguished outside people who, perhaps, can detach themselves from the vested interests that Government agencies have.

The administration's intention as thus stated was the basis for the House amendment. Thus, while removing this language from the legislation, the conference committee was in general agreement that only in unusual circumstances should consideration be given to the appointment of a retired Federal official as a member of the Commission, particularly an official who has had responsibilities closely related to Federal water programs.

As agreed upon in conference, this legislation authorizes the establishment of a seven-member National Water Commission to conduct a comprehensive review of national water resource problems and programs and report thereon to the President and to the Congress within 5 years from the date of the act. This is to be a Presidential Commission which, in the President's words, "will be composed of the very best minds in the country" and "will examine our major water problems and develop recommendations, guidelines, and long-range plans for the most effective use of available water resources."

The House conferees want to reiterate the position of the House Committee on Interior and Insular Affairs as set out in its report:

The job of the National Water Commission will be a difficult one. If the Commission is to be successful in accomplishing its mission, its recommendations must be susceptible of fulfillment. This means that the Commission cannot approach the difficult problems involved in its mission without considering the views of all parties and interests involved. It must therefore work very closely not only with Federal departments and agencies having responsibilities in the water field but also the States and public and private groups which will be affected by its studies and recommendations. The Commission must foster full discussion of the complicated and controversial water issues of this Nation and attempt, through negotiations and understanding, to forge a consensus.

While the objective of this review of national water resource problems and programs is to improve water management and provide for maximum and best use of our water resources in the future and to assist in the formulation of consistent and effective national policies, it is not intended that the planning of urgently needed water resources development projects, or recommendations of the executive agencies concerning such projects, be delayed while the work of the Commission is underway. Neither is it intended that the Commission take a position on specific project proposals.

WAYNE N. ASPINALL,  
HAROLD T. JOHNSON,  
JAMES A. HALEY,  
JOHN P. SAYLOR,  
ED REINECKE,

*Managers on the Part of the House.*





Secretary in contracting for the sale and distribution of water.

Section 502 deals with the financial problems created by the filling of Lake Powell and the resulting impairment of firm power production at Hoover dam. The Committee of Conference adopted the language of the House amendment with one change to make it clear that the annual transfer of \$500,000 to the Upper Colorado River Basin Fund from the Colorado River Development Fund starts with fiscal year 1970.

#### TITLE VI—GENERAL PROVISIONS: DEFINITIONS: CONDITIONS

The language of Title VI relates primarily to the reservoir operating criteria for Hoover and Glen Canyon dams. The Committee of Conference adopted the language of the House amendment with two minor changes.

Section 601(b) requires the Secretary to make reports at five-year intervals showing consumptive uses and losses of water from the Colorado River system. The Committee of Conference added language which requires that such reports include a detailed breakdown of the beneficial consumptive use of water and specific figures on quantities consumptively used from the major tributary streams flowing into the Colorado River on a State-by-State basis.

The Committee of Conference was fully aware of the long and arduous negotiations among the seven Colorado River Basin States with respect to the reservoir operating criteria set out in Section 602 and of the importance of these operating criteria toward finally settling the disputes which have long existed between the two basins. The language expressed in this title, which is in both the House amendment and S. 1004 as passed by the Senate, constitutes a fair and reasonable solution of the problem of protecting the future water resources development of the four Upper Division States and also providing for the use of the water in the Lower Division States until the water is required upstream, thus resulting in the greatest beneficial use of the available water.

Sections 603, 604 and 605 of the Conference Report are identical to language in the House amendment. Section 605 prohibits any licensing by the Federal Power Commission on the Colorado River between Hoover Dam and Glen Canyon Dam until and unless authorized by the Congress.

In Section 606, which defines certain terms used in the Act, the Committee of Conference added language defining "Western United States" as those States lying wholly or in part west of the Continental Divide.

WAYNE N. ASPINALL,  
HAROLD T. JOHNSON,  
ED EDMONDSON,  
MORRIS K. UDALL,  
CRAIG HOSMER,  
LAURENCE J. BURTON,

*Managers on the Part of the House.*

#### REVIEW OF WATER RESOURCE PROBLEMS AND PROGRAMS

Mr. ASPINALL submitted the following conference report and statement on the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes:

##### CONFERENCE REPORT (H. REPT. NO. 1862)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the Bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House num-

bered 1, and agree to the same with an amendment as follows: In lieu of the language inserted by the House amendment insert the following:

"(b) The Commission shall be composed of seven members who shall be appointed by the President and serve at his pleasure. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States."

And the House agree to the same.

That the Senate recede from its disagreement to the amendments of the House numbered 2, 3, 4, 5, 6, 7, 8, 9, and 10.

WAYNE N. ASPINALL,  
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ED REINECKE,

*Managers on the Part of the House.*

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THOMAS H. KUCHEL,  
PAUL J. FANNIN,  
LEN B. JORDAN,

*Managers on the Part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes between the two Houses on the amendments of the House to the bill, S. 20, to provide for a comprehensive review of national water resource problems and programs and for other purposes, submit this statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report.

The language agreed upon is the language of the House with one exception. House amendment No. 1 includes a provision prohibiting appointment to the Commission of retired officers or employees of the United States. The conference committee recommends the removal of this language.

Although, therefore, the conference report language contains no restriction on the appointment of a retired officer or retired civilian employee of the United States as a member of the National Water Commission, it is clear that the appointment of retired Federal officials who have been deeply involved in Federal water resources development activities would not be consistent with the administration's stated position on the composition of this Commission. In his testimony before the House Committee, Secretary Udall stated:

"It [the Commission] is an outside-Government approach to the problem on the assumption. I think, that when you look at the big water problems that we face in the next 25 or 50 years, that it is wise from time to time not merely to have government agencies and government people make studies but to have distinguished outside people who, perhaps can detach themselves from the vested interests that government agencies have."

The administration's intention as thus stated was the basis for the House amendment. Thus, while removing this language from the legislation, the conference committee was in general agreement that only in unusual circumstances should consideration be given to the appointment of a retired Federal official as a member of the Commission, particularly an official who has had responsibilities closely related to Federal water programs.

As agreed upon in Conference, this legislation authorizes the establishment of a seven-member National Water Commission to conduct a comprehensive review of national water resource problems and programs and report thereon to the President and to the

Congress within 5 years from the date of the act. This is to be a Presidential Commission which, in the President's words, "will be composed of the very best minds in the country" and "will examine our major water problems and develop recommendations guidelines, and long-range plans for the most effective use of available water resources".

The House conferees want to reiterate the position of the House Committee on Interior and Insular Affairs as set out in its report:

"The job of the National Water Commission will be a difficult one. If the Commission is to be successful in accomplishing its mission, its recommendations must be susceptible of fulfillment. This means that the Commission cannot approach the difficult problems involved in its mission without considering the views of all parties and interests involved. It must therefore work very closely not only with Federal Departments and agencies having responsibilities in the water field but also the States and public and private groups which will be affected by its studies and recommendations. The Commission must foster full discussion of the complicated and controversial water issues of this Nation and attempt, through negotiations and understanding, to forge a consensus.

"While the objective of this review of national water resource problems and programs is to improve water management and provide for maximum and best use of our water resources in the future and to assist in the formulation of consistent and effective national policies, it is not intended that the planning of urgently needed water resources development projects, or recommendations of the executive agencies concerning such projects, be delayed while the work of the Commission is underway. Neither is it intended that the Commission take a position on specific project proposals."

WAYNE N. ASPINALL,  
HAROLD T. JOHNSON,  
JAMES A. HALEY,  
JOHN P. SAYLOR,  
ED REINECKE,

*Managers on the Part of the House.*

#### TELEVISION NEWS BROADCASTS DID NOT PORTRAY PROVOCATIONS TO POLICE IN CHICAGO

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, never have so many millions of people been so badly misinformed by so few as they were by network television news last week during the Chicago Democratic Convention.

I have taken a 1-hour special order at the conclusion of all legislative business today in order to discuss this whole situation. I invite my colleagues to remain on the floor if they wish to find out what really happened and what television network news did not tell the American people.

It is tragic that the local reporters working for television stations have to be caught in this web, but there is no question in my mind that the American people and the world never got the full story of the provocations that occurred which led up to the incidents in Chicago. I do hope my colleagues will remain on the floor so we can discuss this at great length.

#### STATUS OF APPROPRIATION BILLS

(Mr. MAHON asked and was given permission to address the House for 1



minute and to revise and extend his remarks.)

Mr. MAHON. Mr. Speaker, with the reconvening of the Congress today for the purpose of undertaking to wind up its legislative business, I thought it useful to summarize the unfinished appropriations business.

#### PENDING APPROPRIATION BILLS

Five bills remain to be cleared:

First. The defense bill is reported and pending House floor action. The agreement is that we will not proceed with further consideration until a conference report on the defense authorization bill is cleared.

Second. The foreign assistance bill is yet to be reported. Hearings are completed, and we are ready to report promptly, but we are also awaiting clearance of a conference report on the related authorization bill.

I might say that action on those two bills would conclude House action on the regular fiscal 1969 appropriation bills. Only the customary closing supplemental would remain, and that can be expeditiously handled at the proper time.

Third. The Labor-HEW bill is reported in the Senate, and has been made the unfinished business on its calendar. So it should be in conference very shortly.

Fourth. The independent offices-HUD bill is in conference.

Fifth. The military construction bill is also in conference.

We plan to move as expeditiously as we can on the several conferences. With reasonable cooperation by all concerned, we should be able to dispose of the bills without undue delay.

#### COMPLETED APPROPRIATION BILLS

Mr. Speaker, under leave to revise and extend, and by way of summary, in the eight bills for fiscal 1969 which have been signed into law, Congress considered budget requests for new budget authority of \$19.9 billion. We made reductions of \$2.6 billion, which would count toward the \$10 billion goal in the tax-expenditure reduction bill. That cut in new requests would translate into reductions from the 1969 budget estimates of expenditures in 1969 of about \$1.1 billion. This would count toward the \$6 billion expenditure reduction goal as provided in the tax expenditure reduction bill.

#### HOUSE ACTIONS ON 1969 APPROPRIATION BILLS

Taking House actions alone on new budget authority requests for fiscal 1969, the House has cut \$11.6 billion on 12 bills, including the reported version of the defense bill—considerably above the \$10 billion reduction goal.

The foreign assistance and the closing supplemental bills, when reported, will bring the total House reduction in new budget authority requests probably close to \$13 billion—perhaps a bit less. That would be, roughly, \$3 billion above the tax bill requirement of \$10 billion in respect to new budget authority requests for fiscal 1969.

As to expenditures, rather than new budget authority, our best estimate at this time is that in the 12 bills, the House will have reduced budgeted expenditures for 1969 by about \$3.7 billion. That figure

should approach \$4 billion when the other two bills, foreign assistance and the closing supplemental, are reported.

Mr. Speaker, a more detailed statement on the appropriations business of the year appears in the RECORD for the last day prior to the recess, August 2, at pages H8185 and following.

#### CONGRESS SHOULD ADJOURN PROMPTLY

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, Congress now is facing the possibility of weeks of time-consuming sessions which will have little or no purpose other than keeping Members in Washington, D.C., rather than allowing them to be at home where they would be reporting to their constituents during these critical days facing America.

The work actually facing the Congress is small and could be handled expeditiously, and, Mr. Speaker, I urge you and the leadership of this House to schedule our business so we can have an early adjournment of this "lameduck" session.

The chances of the Senate confirming President Johnson's choices for the Supreme Court appear small indeed. Furthermore, in January we will have a new President and a new Congress. This "rump" session would not be speaking for anyone but itself, and in this light, Mr. Speaker, Congress should lose no time in adjourning so that we may be where we belong at this time—at home with our people discussing vital issues of so much importance to them.

#### CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 307]

Adair	Delaney	Karsten
Anderson,	Denney	King, Calif.
Tenn.	Derwinski	Kleppe
Andrews, Ala.	Diggs	Kyl
Andrews,	Dingell	Landrum
N. Dak.	Dow	Long, La.
Ashley	Dwyer	McClory
Ashmore	Eckhardt	McDade
Baring	Evans, Colo.	McMillan
Barrett	Evins, Tenn.	Machen
Berry	Fulton, Tenn.	Mailliard
Betts	Gardner	Martin
Blatnik	Goodell	May
Bolling	Gray	Mayne
Bolton	Green, Pa.	Mink
Brown, Calif.	Gubser	Moore
Brown, Ohio	Gurney	Moorhead
Burleson	Halleck	Morris, N. Mex.
Cabell	Hansen, Idaho	Morse, Mass.
Carey	Hansen, Wash.	Nix
Clawson, Del	Hébert	Pirnie
Colmer	Heckler Mass.	Poage
Conyers	Herlong	Railsback
Corman	Holifield	Rarick
Cowger	Ichord	Reifel
Cunningham	Jacobs	Resnick
Curtis	Johnson, Pa.	Ronan
Davis, Ga.	Jones, Ala.	Roudebush
Dawson	Jones, Mo.	Ruppe

Scherle	Stafford	Teague, Tex.
Schweiker	Stanton	Tunney
Selden	Steiger, Wis.	Walker
Sikes	Stephens	Watts
Sisk	Stubblefield	Wiggins
Skubitz	Sullivan	Willis
Smith, N.Y.	Taft	Wright
Snyder	Teague, Calif.	Yates

The SPEAKER. On this rollcall, 324 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

#### PROVIDING FOR CONSIDERATION OF H.R. 14314, TRUST FUNDS FOR EDUCATIONAL SCHOLARSHIPS AND CHILD CARE CENTERS

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1251 and ask for its immediate consideration.

The Clerk read the resolution, as follows.

H. RES. 1251

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14314) to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Indiana is recognized for 1 hour.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1251 provides an open rule with 1 hour of general debate for consideration of H.R. 14314 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions and the establishment of child-care centers for preschool and school-age dependents of employees.

Many working parents believe a college education essential to insure meaningful lives for their children. But the costs of attending college are relentlessly increasing. Available figures indicate that each school year brings a rise in the average annual cost of attending college of roughly 5 percent. In 1967 the average annual cost to a resident student at a public university was \$1,640, and will likely grow to \$2,160 in 1977. To a resident student at a private institution of learning, the average annual cost was \$2,570









# **DIGEST** of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued September 6, 1968  
For actions of September 5, 1968  
90th-2nd; No. 143

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HIGHLIGHTS: Rep. Pickle introduced and discussed bill to permit surplus food donation to certain organizations serving American servicemen.

### SENATE

1. APPROPRIATIONS. Continued consideration of H. R. 18037, Labor, HEW, and related agencies appropriation bill. pp. S10331-3, S10339-44

TRANSPORTATION. Both Houses received the President's message transmitting an interim report by the Atlantic-Pacific Interoceanic Canal Study Commission (H. Doc. 380). pp. S10281, H8310

3. RECREATION. Sen. Scott commended corporations who will sponsor a nationwide TV program on our national parks scheduled for Oct. 23. p. S10288
4. HOUSING. Received a Los Angeles County, Calif., Board of Supervisors resolution calling for legislation to give a chance for homeownership to those who now cannot achieve it. p. S10289
5. GRAPES. Received a Porterville, Calif., chamber of commerce resolution protesting the secondary boycott of Calif. table grapes by AFL-CIO unions. p. S10289
6. FARM LABOR. Received a petition signed by Iowa citizens calling for legislation relating to extension of the National Labor Relations Act to cover farmworkers. p. S10289
7. LIVESTOCK. Sen. Hansen commended a Wyo. cattleman's wife for her explanation of the reasons for low income to cattlemen and the ties that bind the consumer and the producer. pp. S10322-3
8. FIREFIGHTING. Sen. Hatfield inserted a National Governors' Conference resolution calling for legislation which would make available to the States the services and resources of the U. S. Forest Service and other Federal agencies when fires become beyond the abilities and resources of the States to handle adequately. pp. S10324-5
9. 4-H CLUBS. Sen. Harris inserted the text of a speech by Melinda Von Thrasher, Rosston, Okla., on how a 4-H member is promoting good community living. pp. S10325-6
10. TAXATION. Sen. Miller submitted an amendment to H. R. 2767, (to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil and water conservation or drainage districts) with respect to the tax treatment of insurance proceeds received by farmers resulting from the destruction and damage of crops by hail. p. S10341

HOUSE

11. WATER RESOURCES. Agreed to the conference report on S. 20, to provide for a comprehensive review of national water resource problems and programs by a National Water Commission. The conferees agreed to the House language except for omission of the prohibition against appointment to the Commission of retired U. S. officers or employees. However, the House conferees stated "it is clear that the appointment to the Commission of retired Federal officers who have been deeply involved in Federal water resources development activities would not be consistent with the administration's stated position on the composition of this Commission." pp. H8318-19  
Agreed to the conference report on S. 1004, to authorize the central Arizona reclamation project. pp. H8310-18
12. MANPOWER. Passed, 315-0, with amendments H. R. 15045, to extend certain expiring provisions under the Manpower Development and Training Act of 1962. pp. H8320-28



ancy District and the Utah State Board of Water Resources supporting the conference report. They are incorporated herein. I join with the many other Utahans to compliment my colleague, LAURENCE J. BURTON, on the work he has done as a member of the conference committee.

The resolutions follow:

#### CENTRAL UTAH WATER CONSERVANCY DISTRICT RESOLUTION

Whereas, the text of language has been agreed upon by the Senate and House Conferees for the Colorado River Basin Project Act, and

Whereas, the agreed to language includes: (1) authority for the Secretary of Interior to conduct a comprehensive investigation for the purpose of developing a general plan to meet future water needs of the Western United States;

(2) that the satisfaction of the Mexican Water Treaty is a national obligation;

(3) the conditional authorization of the Uintah Unit of the Central Utah Project;

(4) a priority of planning status for the Ute Indian Unit of the Central Utah Project;

(5) the reauthorization, at a higher cost, of the Dixie Project and its participation in a lower Colorado River Basin Development Fund;

(6) the reaffirming of the Colorado River Compact and provisions for the establishment of operating criteria for the Colorado River;

(7) directives that the consumptive use of water in the upper basin available from the Colorado River System under the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the lower basin; and

Whereas, the language includes an unfavorable proviso which directs that the Secretary of Interior shall not, for a ten year period, undertake a reconnaissance study of any plan for the importation of water into the Colorado River from any other drainage basin lying outside the States or portion of States of the Colorado River drainage basin; and

Whereas, within the terms and conditions of the Colorado River Compact, by this legislation and from testimony presented at hearings on this legislation, water will be available for all the units of the Central Utah Project; now, therefore be it

*Resolved*, That the Directors of the Central Utah Water Conservancy District recognize the difficulty in development of this important legislation—however believe the benefits that will accrue to the District and to the State of Utah from this legislation merits its support and encourage Utah's Congressional Delegation to support its passage; and be it further

*Resolved*, That copies of this resolution be provided to the Governor of the State of Utah, Utah's Congressional Delegation, Director of the Utah Division of Water Resources, Utah's Upper Colorado River Commissioner, and other interested parties.

#### RESOLUTION OF THE BOARD OF WATER RESOURCES

Whereas, the Senate and House Conferees have agreed on language on the Colorado River Basin Project Act, and

Whereas, the report of the Conferees will be considered by both houses of Congress in early September, and

Whereas, the time for compromise and further amending the legislation is past since the report must be either accepted or rejected, and

Whereas, the legislation contains items of great interest and benefit to the State of Utah, and

Whereas, the legislation represents the best overall compromise that can be achieved at this time: Now, therefore be it

*Resolved*, That the Board of Water Resources, in view of its statutory responsibilities in interstate stream matters, recommends to the Governor and to Utah's Congressional Delegation that they individually and collectively use their influence, give active support, and work to secure the final passage of the Colorado River Basin Project Act as reported by the House and Senate Conferees.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Speaker, I rise in support of the conference report.

(Mr. HOSMER asked and was given permission to revise and extend his remarks.)

Mr. HOSMER. Mr. Speaker, I believe there are still certain matters that should be made clear. Although the gentleman from Pennsylvania views the terms of the bill to be what he considers a unilateral change in the treaty with Mexico, I believe the conferees by and large regarded it not as any such change in our obligations to Mexico, which of course could not be made by Congress in any event, but rather as a domestic change in positioning the burden of the Mexican Treaty. I would like to make that attitude clear for the record.

Also with respect to the complaint of the gentleman from Pennsylvania about what he chooses to call an alleged "guarantee" to California. The fact is that this bill does not guarantee California 4.4 million acre-feet of water annually. Rather, its provisions are an extension of the gradually developing water shortage formula for the Colorado River which has been taking shape by agreement among the States for several decades. And the fact that it is a fair and equitable extension of the shortage formula is evidenced by the fact that gentlemen from Arizona today arose, as did the other Representatives from other affected States, to express approval of these provisions and to urge favorable action on the conference report. Once such a group of States and their Representatives in Congress can agree on a bill in relation to such a vital matter as water in their arid States and a whole region of the Nation, then it must be a fair compromise and I believe the Congress should approve it.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the chairman of the subcommittee, the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, and Members of the House, I am very happy to be able to come here today and support the conference committee report. I want to say that as far as California is concerned, we are very well satisfied with the agreement that has been reached on the river.

I want to say to the chairman of the full committee that he is to be commended for the fine way in which he has handled this matter this year, and certainly his participation in the conference

brought about the compromise that was necessary for all of the people to agree on this report for the most part.

I am very sorry that the gentleman from Pennsylvania did not see fit to sign the conference report, but I am sure nothing in here will be of any detriment to any areas of the United States.

It has been a pleasure for me to have worked with all of the people from the basin States that are affected, in perfecting this piece of legislation. It will resolve our problems for now. We can go ahead with planning and development.

I certainly hope we adopt the report this afternoon.

Mr. ASPINALL. Mr. Speaker, I yield myself 30 seconds to advise my colleagues that as soon as the previous question is ordered I shall ask for a quorum call.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. ASPINALL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

#### CALL OF THE HOUSE

Mr. ASPINALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman requests a straight quorum call?

Mr. ASPINALL. That is correct, Mr. Speaker.

The SPEAKER. The gentleman from Colorado makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 308]

Adair	Eckhardt	Martin
Anderson, Ill.	Evans, Colo.	Matsunaga
Andrews, Ala.	Evins, Tenn.	May
Andrews, N. Dak.	Fallon	Miller, Calif.
Arends	Flynt	Mink
Ashley	Fraser	Monagan
Ashmore	Fulton, Tenn.	Moore
Baring	Gallagher	Moorhead
Barrett	Gardner	Morris, N. Mex.
Berry	Gray	Pirnie
Betts	Gubser	Poage
Blatnik	Gurney	Rarick
Bolling	Halleck	Resnick
Bolton	Hansen, Wash.	Ronan
Brown, Calif.	Hays	Roudebush
Brown, Ohio	Hébert	Ruppe
Cabell	Herlong	Satterfield
Carey	Holifield	Scherle
Casey	Ichord	Schweiker
Clancy	Jacobs	Sikes
Clawson, Del.	Johnson, Pa.	Sisk
Colmer	Jones, Mo.	Skubitz
Conyers	Karsten	Smith, N.Y.
Corman	Kee	Snyder
Cowger	King, Calif.	Stafford
Cunningham	Kleppe	Stephens
Davis, Ga.	Kyl	Stubblefield
Dawson	Landrum	Sullivan
Delaney	Long, La.	Teague, Calif.
Denney	McClory	Teague, Tex.
Derwinski	McCloskey	Walker
Dickinson	McDade	Wiggins
Diggs	McMillan	Yates
Dow	Machen	
	Mailliard	

The SPEAKER. On this rollcall 326 Members have answered to their names, a quorum.



By unanimous consent, further proceedings under the call were dispensed with.

#### CONFERENCE REPORT ON S. 1004, CENTRAL ARIZONA PROJECT

The SPEAKER. The question is on the conference report.

The conference report was agreed to. A motion to reconsider was laid on the table.

#### CONFERENCE REPORT ON S. 20, COMPREHENSIVE REVIEW OF NATIONAL WATER RESOURCE PROBLEMS AND PROGRAMS

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to ask the distinguished chairman of the Committee on Interior and Insular Affairs if it is his intent to take a little time during which to explain the results of the conference between the two bodies, and to explain as to whether or not any amendments which were added are germane, or other points of interest to the members, to the bill as changed in conference from its structure as passed in the House.

Mr. ASPINALL. Mr. Speaker, if my distinguished colleague from Missouri will yield I shall advise him that at the right time I shall take some time to do what he desires.

May I say to my distinguished colleague from Missouri that as soon as we dispense with the reading of the statement of the managers on the part of the House I shall take 2 or 3 minutes during which to explain just what is contained in the conference report.

Mr. HALL. Mr. Speaker, I appreciate the response of the gentleman from Colorado and, therefore, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

(For conference report and statement, see proceedings of the House of Sept. 4, 1968.)

Mr. ASPINALL. Mr. Speaker, to review briefly what is involved in this legislation, it authorizes the establishment of a seven-member National Water Commission to conduct a comprehensive review of national water resource problems and programs and to report thereon to the President and to the Congress within 5 years from the date of the act. The Commission must work closely with the Water Resources Council and the river basin commissions established pursuant to the Water Resources Planning Act, and with Federal agencies and States.

The conference version of S. 20, which we bring back to the House today, is identical to the House version with one exception. The committee of conference rejected a provision in the House language which would have prohibited the appointment to the Commission of retired Federal officers or employees. There was agreement in conference that such a restriction on membership would be inappropriate and unnecessary. Nevertheless, because of the intended non-Federal nature of the Commission, the conference committee was in general agreement that only in unusual circumstances would it be appropriate for the President to appoint a retired official who has been closely involved in Federal water activities.

Mr. Speaker, the President has stated that this Commission will be composed of the very best minds in the country and that it will examine our major water problems and develop recommendations for the most effective use of available water resources. I hope that the President's appointments not only are recognized authorities in the water field but that they are men who recognize that the complicated and controversial water issues of this Nation can only be settled through negotiations and understanding among all levels of government and all parties and interests involved. Recommendations are of no value unless they are susceptible of fulfillment. The National Water Commission has a difficult job to do. I hope it will be successful in accomplishing its mission.

Mr. Speaker, I urge the adoption of the conference report on S. 20.

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SAYLOR. Mr. Speaker, I rise in support of the conference report on S. 20, a bill to provide for a comprehensive review of national water resource problems and programs.

This legislation passed the House on July 12, 1967, and proposes the establishment of a seven-member National Water Commission to conduct a comprehensive review of the problems, programs, and management of our national water resources. The Commission's activities will involve a Federal expenditure of approximately \$5 million and will report its findings to the President and the Congress within 5 years from the date of enactment.

The members of the Commission are to be appointed by the President and utilize an outside-Government approach to evaluate our national water resource problems and programs. The Commission is also charged with the responsibility of developing recommendations and long-range plans for the more effective use of our water resources.

The major difference resolved by the committee on conference between the two Houses concerned the language in the House bill which prohibited appointment to the Commission of retired officers and employees of the Federal Government. This provision was placed in the bill as an amendment which I had the privilege to sponsor because one of the major prem-

ises upon which the administration justifies the need for this legislation is the need for "an outside-Government approach to the problem," and the need "to have distinguished outside people who can detach themselves from the vested interests that Government agencies have."

The conference committee adopted the position that the language prohibiting retired officers and employees of the Federal Government from serving on the Commission was too restrictive. On the other hand, the conference committee has expressly stated its general agreement in the statement of managers on the part of the House, that only in unusual circumstances should a retired Federal official or employee be appointed to serve as a member of the Commission.

Mr. Speaker, the task envisioned by this legislation for a Nation Water Commission is an enormous job to be accomplished. It is with some degree of optimism that I anticipate this Commission's work will bring order out of chaos in the more than 50 Federal agencies now involved in water resource activities and management. If the Commission is to carry out its mandate the number of Federal agencies involved in water resource activities should be curtailed.

Mr. Speaker, I urge the adoption of the conference report.

Mr. REINECKE. Mr. Speaker, the conference report on S. 20 is now before this body. Its adoption together with similar action by the Senate presents a great opportunity to advance the welfare of the entire Nation by establishing a National Water Commission.

This Commission is directed, within a 5-year period, to conduct a study of the entire water resources problem of our country; to consider the economic and social aspects of water development programs, including alternative means; and the impact of water resources development on regional economic growth, institutional arrangements, and esthetic values affecting the quality of life of the American people.

The Commission is to consist of seven members appointed by the President, none of whom shall be an officer or employee of the Federal Government while serving at the pleasure of the President.

This will assure a fresh approach for institutional prejudices and commitments will be eliminated.

There are now 38 Federal agencies involved in some aspect of water resource activities. It is almost certain that there is duplication, overlapping, and a working to cross-purposes, and that many crucial problems exist. The National Water Commission study would reveal these, and after consideration, in depth, of alternative means of development of our precious water resources, provide to the President and the Congress the basis for a considered judgment and decision as to the most efficacious and desirable means of development.

The Senate Select Committee on National Water Resources in 1959 completed a broad-based study of the Nation's water resources and needs which served admirably as an informed



base for considerable progress in water resource development.

However, drawing upon my own experience of over 20 years as a professional engineer dealing with the problems of water conservation and, further, on my work as a member of the Committee on Interior and Insular Affairs, I felt for some time that this was not sufficient.

Circumstances change, new problems arise, and old methods sometimes prove to be inadequate.

Federal water resources policies are a rag and tag collection of legislative directives, mostly directed at single problems with little or no concern for interrelationships. The problems, needs, and solutions in one area or region are not necessarily those of other regions. Some methods of development designed to solve a problem even tend to create others.

What is needed is a broad-based, comprehensive study of all the water related problems of our country. Consideration must be given to all of the possible alternate solutions including the related ramifications involved before an adequate basis for decisions can evolve.

We know all too well that the precious resource of water is finite, and must be husbanded well if we are to survive.

It was in realization of this need that in 1965 I introduced a bill to establish a National Water Commission.

Both the House and Senate of the 89th Congress approved such legislation after a thorough hearing. However, final approval proved impossible when some disagreement arose over the question of sectional interests.

In this Congress I again introduced this bill, H.R. 5346, and a similar proposal, S. 20, was introduced in the Senate. Again, each body has approved it, in slightly different form.

Happily conferees of the two bodies have agreed on a final version which is now before you for approval. In conference, in which I was a participant, it was agreed that the bill substantially as it passed the House would be presented to both Houses.

The only difference is that in appointing members of the Commission the President may consider retired officers or employees of the Federal Government. This would occur only under unusual circumstances.

The function of the Commission is to review and study national water resource problems and programs of development in order to improve water management and to provide the President and the Congress the best information upon which to base consistent and effective policies.

In achieving this end it will have a professional staff and may utilize all of the services of all of the Federal agencies now concerned with water resources. It will consult with and hear from all interested parties public and private. It will consider all alternatives, evaluate them and forward them together with the comments of the Water Resources Council to the President and the Congress.

The work of the Commission will make it possible for the Nation to have an informed base upon which to formulate

policies which will enable us to utilize most efficiently that most precious resource—water.

I strongly urge approval of the conference report on S. 20.

[Mr. FOLEY addressed the House. His remarks will appear in the Extensions of Remarks.]

Mr. PETTIS. Mr. Speaker, I am delighted to pay tribute to the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado, WAYNE ASPINALL, and the other conferees who have been able to do what no other men of the Congress of the United States have been able to do in the history of this country, in reaching an equitable solution to the complex problems which surround the development of water resources, not only for our parched Southwest, but for other parts of our Nation as well.

By the adoption today of S. 20, which calls for a comprehensive review of national water resources problems and programs and the Colorado River Basin Project Act, whose object is to provide a program for the further comprehensive development of the water resources of the Colorado River Basin and for the provision of additional and adequate water supplies for use in the upper as well as the lower Colorado River Basin, we have set the stage for solving one of the Nation's vital and critical problems—the problem of water, which is as important as life itself.

This legislation will also serve the purposes of regulating the flow of the Colorado River; provide for the storage and delivery of the water of the Colorado River; provide for reclamation of lands, including supplemental water supplies, and for municipal, industrial and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife; and the generation and sale of electric power as an incident of the foregoing purposes.

We will have also established as a policy of the Congress that we shall continue to develop, after consolidation with the affected States and appropriate Federal agencies, a regional water plan which will serve as a framework under which projects in the Colorado River Basin may be coordinated and constructed with proper timing to the end that an adequate supply of water may be made available to all our people.

We will have clearly indicated to the Secretary of the Interior that he not only has the authority, but the responsibility for planning the best possible use of this Nation's water resources west of the Continental Divide for meeting the future water needs of our 11 western States. We will have also indicated to our Secretary of the Interior the great need to initiate this west side planning effort by determining the water supplies available and the long-range water requirements in each water resource region of the western United States, and when this phase of the study is completed, it will then be possible to proceed to determine the most economical means of augmenting the water supply of the Colorado River,

in order to serve the most critical water-short area of our Nation. When the water needs of the Colorado River Basin and the time schedule have been established, all possible sources of water must be considered, including water conservation, salvage, weather modification, desalinization, anti-evaporation measures and importation of water from areas of surplus.

All of us, from the State of California, can breathe a sigh of relief knowing that this Congress "guarantees" to California 4.4 million acre-feet of water annually, with a priority over the central Arizona project water when there is less than 7.5 million acre-feet of main stream Colorado River water in the lower basin, and the Secretary of the Interior must recognize this priority in the administration of the U.S. Supreme Court decree in Arizona against California.

Mr. ASPINALL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### PROVIDING FOR THE POPULAR ELECTION OF THE GOVERNOR OF GUAM

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 449) to provide for the popular election of the Governor of Guam, and for other purposes, with Senate amendments to the House amendment, and concur in the Senate amendments to the House amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments to the House amendment, as follows:

Page 7, of the House engrossed amendment, strike out lines 4 to 9, inclusive.

Page 13, of the House engrossed amendment, strike out lines 7 to 11, inclusive, and insert:

"(u) The following provisions of and amendments to the Constitution of the United States are hereby extended to Guam to the extent that they have not been previously extended to that territory and shall have the same force and effect there as in the United States or in any State of the United States: article I, section 9, clauses 2 and 3; article IV, section 1 and section 2, clause 1; the first to ninth amendments inclusive, the thirteenth amendment; the second sentence of section 1 of the fourteenth amendment; and the fifteenth and nineteenth amendments.

"All laws enacted by Congress with respect to Guam and all laws enacted by the territorial legislature of Guam which are inconsistent with the provisions of this subsection are repealed to the extent of such inconsistency."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments to the House amendment were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my own remarks in the



RECORD at this point, and that the gentleman from Pennsylvania [Mr. SAYLOR] and any other Members desiring to do so may likewise have the same privilege.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, S. 449, provides for the popular election of the Governor and Lieutenant Governor of Guam, for the appointment of a Government comptroller and further extends the principles of local self-government to the Territory of Guam.

This legislation was passed by the House on June 17, 1968, with an amendment striking all after the enacting clause and inserting the House amendment. By action in the other body the House amendment has been agreed to with an amendment.

The amendment adopted by the other body to the House amendment strikes the provision of the bill providing for the popular election of members of school boards and boards of elections. The amendment of the other body also inserts language extending to Guam certain provisions of the U.S. Constitution not now applicable to Guam. These provisions are: Article I, section 9, clauses 2 and 3, providing that the writ of habeas corpus shall not be suspended; article IV, section 1 and section 2, clause 1, providing that the full faith and credit clause and the privileges and immunities clause shall have the same force and effect in Guam; the first to the ninth amendments inclusive; the 13th amendment; the privilege and immunities, due process, and equal protection clauses of the 14th amendment; and the 15th and 19th amendments.

Mr. Speaker, the amendments of the other body improve this legislation and resolve some technical questions raised by the House language.

[Mr. SAYLOR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### AMENDING THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

Mr. O'HARA of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 15045) to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan.

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 15045, with Mr. MACDONALD of Massachusetts in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday it had agreed that the committee substitute amendment be

considered as read and open to amendment at any point.

Are there any amendments?

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: Beginning on page 4, line 19, strike everything through the end of page 5, line 16, and insert in lieu thereof the following: "(b) Section 202 of the Act is further amended by adding at the end thereof the following new subsection:

"(m) Nothing in this section shall prevent the funding of training in approved skill centers, on an annual basis."

(Mr. STEIGER of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. STEIGER of Wisconsin. Mr. Chairman, I am proposing this amendment as a substitute for subsection 4(b) of the bill before us. This proposed substitute serves the same purpose as does subsection 4(b), and avoids some of the flaws which able and distinguished members of the committee see in the language of that section.

Section 4 of the bill seeks to overcome by legislation one major administrative problem which was discussed before the subcommittee and which, I believe, the members of the full Committee on Education and Labor approach unanimity in seeking to correct.

During the several years that MDTA has been in operation, it has made a great many contributions to the array of institutional weapons we can utilize in our efforts to combat manpower problems. One of the major contributions has been the development of the skill center—an institution which provides a broad variety of skill training, specifically directed toward the needs of MDTA trainees, as distinguished from the more traditional clientele of the vocational education system. Skill centers, such as those in Detroit, Philadelphia, New York City, Atlanta, and in some 60 other areas, have been able to combine the talents and personnel of that vocational education system with the talent and abilities of other sectors in a "mix" which has produced excellent results with specific reference to the people MDTA is trying hardest to assist.

In the course of the hearings on this legislation—and, indeed, even before the hearings—it had become obvious that one major problem was affecting the efficient working and full utilization of these skill centers. In order to be utilized most efficiently, they must maintain a permanent operation, with the most economic use of space, of equipment and, above all, of staff. The ideal way to provide such use is to allow for annual funding, on a continuing, institutionwide basis, of such centers. But as the present law is interpreted, because of the requirement for a "reasonable expectation of employment" before a trainee can be referred to training, it is necessary for the Labor Department, through the State employment security agency, to conduct a survey before any course can be established in a skill center. These

surveys take time, and there is, inevitably, a lag between the proposal that a course be set up and the certification of such a course as meeting an expected employment need. This means in theory, and very often in practice, an experienced and competent instructor's talents will be utilized for a period of 10 to 12 weeks, and that, before he is sure what will happen after that, a further survey must be conducted, and further delay incurred in setting up a new course.

In addition, the operation of a skill center on the basis of certifying each course separately, involves substantial extra bookkeeping, with a skill center, as one witness told the subcommittee, being required to operate on 40 or 50 separate and distinct budgets in the course of a given fiscal year.

Section 4 of the reported bill was an amendment, offered by me in the full committee, to give priority to skill centers, and to provide for mechanisms which, we all felt at the time, would insure such priority in a meaningful way.

After further consultation with members of the executive branch and with representatives of the vocational education profession, I am persuaded that it would be simpler and more effective to strike the second half of section 4; namely, section 4(b), the mechanisms by which I had hoped to insure priority for the skill centers, and to replace it with a simple provision that allowed directly for annualization of funding for skill centers. The substitute amendment which I have offered, is intended to allow such annualization, and to permit the operation of these valuable centers without removing the basic MDTA requirement that training be offered only where a reasonable expectation of employment exists. Such an expectation is essential. It would make no sense to run skill centers, however effective they might be, to train buggy whip makers and sassa-rilla bottlers. But it makes no sense, either, to allow job opening surveys to hold up training when there is a known demand for a given skill. I offer this amendment, not truly as a substitute for, but as a clarification and improvement of the original section 4(b).

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am happy to yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, I would like to point out that the other members of the committee share the gentleman's intention to make easier and more efficient the use of skill centers. I supported the gentleman's original amendment in the full committee, and if the substitute does the job the gentleman suggests, I am of a mind to support it on this floor.

I would like to ask the gentleman a question about that.

Does the gentleman intend that the requirement, now found in other subsections of section 202 of the act, that trainees only be referred where a "reasonable expectation of employment" exists, should be suspended or modified where skill center training is involved?









# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

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HIGHLIGHTS: House passed scenic rivers bill. Senate passed Oreg. wilderness bill. House received conference report on trails bill. House agreed to conference report on Redwood Park bill.

### SENATE

WATER RESOURCES. Agreed to the conference report on S. 1004, to authorize the central Arizona reclamation project. This bill will now be sent to the President. pp. S10648-73

Agreed to the conference report on S. 20, to provide for a comprehensive review of national water resource problems and programs by a National Water Commission. This bill will now be sent to the President. p. S10636

Passed without amendment H. R. 9362, to authorize the Mountain Park reclamation project, Okla. (p. S10633). This bill will now be sent to the President.

2. LANDS. The Interior and Insular Affairs Committee reported without amendment H. R. 1340, to authorize the Secretary of the Interior to accept donations of lands for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway, N.C. and Ga. (S. Rept. 1537). p. S10643

The Interior and Insular Affairs Committee reported with amendment S. 3406, to amend the act providing for admission of Alaska into the Union in order to extend the time for filing applications for selection of certain lands by such State (S. Rept. 1567). p. S10643

3. WILDERNESS. Passed as reported S. 2751, to designate the Mount Jefferson Wilderness, Willamette, Deschutes, and Mount Hood National Forests, Oreg. pp. S10632-3

4. NATIVES. Agreed to without amendment S. Con. Res. 11, to encourage development of programs to bring American Indians and Alaska natives to a social and economic level of fully participating citizens. pp. S10634-5

5. BANKRUPTCY LAWS. Passed without amendment S. J. Res. 100, to create a commission to study the bankruptcy laws of the U. S. p. S10630

6. COMMITTEE ASSIGNMENTS. Sen. Goodell, N.Y., was assigned to the Agriculture and Forestry Committee; and Sens. Percy, Ill., and Brooke, Mass., to the Government Operations Committee. Sen. Hatfield, Oreg., was transferred from the Agriculture and Forestry Committee; and Sens. Hansen, Wyo., and Baker, Tenn., from the Government Operations Committee. Other assignments were also made. p. S10647

7. NOMINATION. Received the nomination of Ted J. Davis, Okla., to be an Assistant Secretary of Agriculture. p. S10714

8. HORSES. Sen. Mansfield inserted a statement from the Bureau of Land Management which states Interior Department has set aside a 31,000 acre wild horse and wildlife range in the Pryor Mountains along the Mont.-Wyo. border. pp. S10635-

9. TAXATION. Sen. Anderson submitted an amendment intended to be proposed by him to S. 2767, to strike section 5 of the soil conservation bill to exempt certain organizations from taxes on any profits made in the competitive advertising business. p. S10646

10. ANTIDUMPING CODE. Sen. Tydings criticized including the antidumping code amendment in the renegotiation bill. pp. S10673-4

#### HOUSE

11. TRAILS. Received the conference report on S. 827, to establish a nationwide system of trails (H. Rept. 1891). The conference report contains these provisions: Reaffirms the importance attributed to the development of these



programs in Indian communities in recent years have begun to accomplish encouraging breakthroughs.

Senate Concurrent Resolution 11 resolves that it is the sense of Congress that progress for many American Indians and Alaska natives can only be achieved by a sustained, positive, and dynamic Indian policy backed up by constructive programs and services directed through tribal governing bodies. It further states that these programs must offer self-determination and self-help features and be continued until the Nation's obligations to the descendants of the first Americans are fulfilled, and they are able to take their place with other citizens.

Paragraphs 2 and 3 of the resolution state that the services of the two major Federal Indian service agencies, the Bureau of Indian Affairs and the Division of Indian Health in the Department of Health, Education, and Welfare, are not fully responsive to the modern day needs of Indians and Alaskan natives; that the solution of Indian problems requires new and innovative services by Federal, State, and local governments, and the Department of the Interior, and that the Bureau of Indian Affairs should be charged with coordinating and cooperating with governing bodies of the tribes on programs the Indian wish to utilize.

The fourth paragraph expresses the sense of Congress that Indian and Alaska native trust property continue to be protected; that Indian culture and identity continue to be respected; that efforts be continued to develop natural resources; that inadequate and substandard housing and sanitation be corrected; that a comprehensive health program be developed; and that the long-term vocational, technical, and professional education programs be continued and further developed.

The fifth paragraph expresses the congressional view that the Secretary of the Interior should periodically review all the activities of the Commissioner and Bureau of Indian Affairs to assure maximum utilization of Federal, State, and local programs and resources for Indian and Alaska native well-being, and that an annual report, together with needed legislative recommendations, should be submitted to Congress indicating the manner in which this resolution is being carried out.

The final paragraph of Senate Concurrent Resolution 11 recommends that Indian and Alaska native communities be given the freedom, encouragement, and assistance to develop their maximum potential, through continued congressional support of programs and services, to bring Indians and Alaska natives to a social and economic level of full participating citizens.

The numerous witnesses, Indian and non-Indian, who appeared at the committee hearing strongly recommended the adoption of Senate Concurrent Resolution 11.

#### COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### EXECUTIVE SESSION

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business.

There being no objection, the Senate proceeded to the consideration of executive business.

#### DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of Shirley M. Hufstедler, of California, to be U.S. circuit judge, ninth circuit.

Mr. KUCHEL. Mr. President, I very much doubt that the Senate has ever considered a nominee for service in the Federal judiciary who is more competent or more qualified than the nominee whose nomination to the ninth circuit court is now pending.

On August 5, 1968, an editorial in the Los Angeles Times stated the following in referring to the nomination of Justice Shirley M. Hufstедler to the Ninth Circuit Court of Appeals:

President Johnson could hardly have found a more able nominee for the U.S. Circuit Court of Appeals than the California judge he selected.

I share the viewpoint expressed in that editorial by a great American newspaper. I believe Justice Hufstедler to be one of the finest judges produced by my home State of California. She has been recommended for this nomination by some of the most capable and thoughtful members of the bench and bar and of the academic community in California, and, indeed, from many other sections of the country.

Justice Hufstедler's experience is outstanding. Following her graduation from Stanford Law School, where she had a distinguished record, she practiced law for close to 10 years. She rapidly earned a reputation as a "lawyer's lawyer," being retained as special counsel by the attorney general of California and by leading law firms in particularly difficult and complicated cases. She was appointed to the superior court of Los Angeles County in 1961, and 5 years later to the court of appeals. This court ranks second to the supreme court of the State. On the superior court, she gained the respect of her 120 colleagues for distinguished performance in the conduct of exceptionally complicated trials. They honored her first by selection as a law and motions judge, second by elevation to their court's appellate division, hearing appeals from the municipal courts.

When it comes to clear and concise opinions, her record is without precedent in my State. As a Superior Court Judge, she wrote some 10,000 memorandum decisions plus a number of longer opinions in complex cases. California lawyers tell me that her performance on the Superior Court was superlative.

Her judicial record is, I feel assured, one of eminent fairness, to all parties, plaintiff and defendant, accused and accuser. The essence of our due process system is a recognition of the rights of all citizens before the bar of justice. This demands firmness but it also demands understanding. Justice Hufstедler is renowned for her high character and humane qualities which a great judge must have.

Mr. President, the people of California share the deep pride which her able husband and her fine son have for her at this moment. I congratulate her for being the second woman ever to be appointed to so high a judicial post. But beyond that, I congratulate her for her outstanding record and capabilities as a

member of the bench, particularly at a time when renewed faith and trust must be established in the capability of American judges and the American judicial system. I am, therefore, most pleased by this nomination and highly recommend and support her confirmation.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

#### URBAN MASS TRANSPORTATION ADMINISTRATION

The legislative clerk read the nomination of Paul L. Sitton, of Georgia, to be Urban Mass Transportation Administrator.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

#### ESTABLISHMENT OF WILD HORSE RANGE IN MONTANA

Mr. MANSFIELD. Mr. President, I am delighted to bring to the attention of the Senate a statement I have just received from the Bureau of Land Management stating that the Secretary of the Interior, Sewart L. Udall, has set aside a 31,000-acre wild horse and wildlife range in the Pryor Mountains along the Montana-Wyoming border. I am sure the distinguished Presiding Officer (Mr. HANSEN in the chair) has received a similar communication, because he is also interested in the wild horse and wildlife range.

Mr. President, this is good news, because it will mean more feed and sustenance for the horses and other wildlife as well.

I am happy that Secretary Udall has brought about the range enlargement and I ask unanimous consent to have printed in the RECORD the letter I have received from the Department of the Interior and the release from the Bureau of Land Management.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,  
BUREAU OF LAND MANAGEMENT,  
Washington, D.C., September 11, 1968.  
HON. MIKE MANSFIELD,  
U.S. Senate, Washington, D.C.

DEAR SENATOR MANSFIELD: Public concern for the protection and management of the wild horses in the Pryor Mountains area of Montana and Wyoming has been a matter of major significance.

Since you and your constituents have expressed an interest in this problem, we are enclosing a copy of the latest news release



explaining the Bureau of Land Management's position in this matter.

Sincerely yours,

JOHN O. CROW,  
Acting Director.

[A news release from the Department of the Interior, Bureau of Land Management, Sept. 12, 1968]

**BUREAU OF LAND MANAGEMENT ESTABLISHES  
WILD HORSE RANGE IN MONTANA**

Secretary of the Interior Stewart L. Udall has set aside a 31,000-acre wild horse and wildlife range in the Pryor Mountains along the Montana-Wyoming border, Bureau of Land Management Director Boyd L. Rasmussen announced. The move is being made to give Federal protection to a herd of wild horses whose future has aroused nationwide attention for several months.

Rasmussen, who visited the rugged mountain area recently, said: "It is essential that we move ahead immediately to designate these lands to provide Federal protection for this national heritage, and as quickly as possible to establish long-term management for both horses and wildlife, including a mule deer herd. After signing this designation, Secretary Udall has authorized me to appoint a special advisory committee to help us study humane and practical means to operate this range, and to advise use of a suitable method to arrive at a balance between the horses and deer and the food available for them."

BLM plans no action to trap or round up horses from the range at this time, Rasmussen said, and future decisions will be based upon consideration of committee recommendations. The committee will include representatives of wild horse organizations, humane societies, wildlife specialists and other broad interests. The committee may consult specialists in other fields related to horses for technical advice where needed.

Since a series of public meetings last spring to discuss preliminary alternatives for management of the Pryor Mountain area, the range available for use by the horses has been increased by the addition of lands within the Bighorn Canyon National Recreation Area.

Rasmussen said, "After visiting this area, I am concerned that the total numbers of animals—horses and big game—may not be in balance with food available for them. I agree with Montana State Director Harold Tysk of BLM and his competent staff that something must be done to halt continued soil and watershed problems which have been brought about by intensified competition between horses and wildlife for food.

"At the same time, we all recognize that these horses are a national asset, and the Pryor Mountain herd is suitable for management of the wild horse so important in Western history," Rasmussen continued.

"Another factor is that forage on 8,000 acres in this area was identified years ago as important for mule deer. Thus I want the best advice possible from a wide range of interests within this committee before developing a multiple use program for the area with our State directors in Montana and Wyoming."

**REVIEW OF WATER RESOURCE  
PROBLEMS AND PROGRAMS—  
CONFERENCE REPORT**

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 4, 1968, p. H8239, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JACKSON. Mr. President, the conference report represents a compromise between the differing versions of the House and Senate upon the means of appointment and the qualifications of members of the National Water Commission.

**APPOINTMENT OF COMMISSION**

As passed by the Senate, S. 20 provided that the members of the Commission shall be appointed by the President "by and with the advice and consent of the Senate." The House amended the bill to remove the requirement for Senate confirmation. The conference committee recommends that, in the interest of compromise, the Senate recede from disagreement with the House amendment.

**QUALIFICATION OF MEMBERS**

As passed by the Senate, S. 20 provided that no member of the Commission shall during his period of service hold another position as an officer or employee of the United States. The House amended the bill to add the additional prohibition that no member of the Commission shall during his period of service be a retired officer or employee of the United States drawing or entitled to draw an annuity or retired pay.

The conference committee recommends deleting the House amendment and adopting the language of the Senate-passed bill. This language would allow a retired officer or employee of the United States to serve on the Commission. Reports received by the Senate committee from the Comptroller General and from the Civil Service Commission indicated that the effect of the prohibition in the House amendment would place serious, far-reaching and unintended restrictions on the President's choice of Commission members. Although the conference committee removed the prohibition, it is nevertheless the intent of the committee that, as a general rule, the persons appointed to the Commission should not be retired officers or officials of the Federal water resource agencies who have spent long and continuous careers in developing and administering present Federal policies. The committee recognizes, however, as the House committee did, in the statement of the managers on the part of the House, that there may be unusual circumstances in which consideration should be given to the appointment of a retired Federal official as a member of the Commission. The committee's purpose in restoring the language of the Senate-passed bill was to insure that persons with limited or periodic Federal service or with service as members of reserve units of the military would not be prohibited from appointment to the Commission. If the National Water Commission is to be composed of

the very best minds in the country, it is necessary that the President have the discretion to call upon those who are currently in industry, business, and the universities, but who may have spent a part of their careers in the service of the Federal Government.

The committee thus concurs in the basic intent of the House amendment that long-term career officers or officials of the Federal water resource agencies should not be appointed to the Commission, and that an objective viewpoint should be achieved in the membership. The committee does, however, feel that a limited period of Federal service should not result in a disqualification. Competent individuals should not be prohibited from service simply because at some time during their careers they devoted their talents to military or other public service.

**CIVIL SERVICE PROVISIONS**

The conference committee recommends adoption of two House amendments relating to Civil Service procedure. The House deleted language limiting the number of employees of the Commission who may be compensated in the equivalent of grade GS-18 of the General Schedule. In the absence of specific provisions the allotment of such positions would be left to the Civil Service Commission. Similarly, the House deleted language setting the compensation of the Executive Director of the Commission at level IV of the Federal executive salary schedule, and instead inserted language leaving the determination of the rate to the Civil Service Commissioners.

**OTHER AMENDMENTS**

The conference committee recommends adoption of three further House amendments. The first would require that, simultaneously with the submittal to the President required by the bill as passed by the Senate, the reports of the Commission and the views of the Water Resources Council be submitted to the Congress. The second amendment would place a limitation of \$5 million upon the appropriations authorized to carry out the provisions of the bill. This amount appears to be adequate for the purpose and is in agreement with an estimate provided by the administration.

The third amendment would remove the provision that the appointment of the Executive Director shall be approved by the President. Instead, the Director will be appointed by the Chairman of the Commission with the approval of the Commission.

Mr. President, I move adoption of the conference report.

The motion was agreed to.

**PRESIDENT JOHNSON TALKS ABOUT  
WAR AND PEACE**

Mr. ELLENDER. Mr. President, this week, President Johnson addressed the 50th Annual American Legion National Convention, held in New Orleans. I accompanied him on his trip to New Orleans. The theme of the President's remarks was the long struggle by America to seek peace in the world, following the end of World War I.

The tone of the President's speech was set in his own words:











Public Law 90-515  
90th Congress, S. 20  
September 26, 1968

## An Act

82 STAT. 868

To provide for a comprehensive review of national water resource problems and programs, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "National Water Commission Act".

National Water  
Commission Act.

### THE NATIONAL WATER COMMISSION

SEC. 2. (a) There is established the National Water Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members who shall be appointed by the President and serve at his pleasure. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

Membership.

(c) The President shall designate a Chairman of the Commission (hereinafter referred to as the "Chairman") from among its members.

(d) Members of the Commission may each be compensated at the rate of \$100 for each day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C., sec. 5703, for persons in the Government service employed intermittently.

Compensation.

Travel pay.

80 Stat. 499.

(e) The Commission shall have an Executive Director, who shall be appointed by the Chairman with the approval of the Commission and shall be compensated at the rate determined by the U.S. Civil Service Commissioners. The Executive Director shall have such duties and responsibilities as the Chairman may assign.

Executive  
Director.

### DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to, desalting, weather modification, and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

(b) The Commission shall consult with the Water Resources Council regarding its studies and shall furnish its proposed reports and recommendations to the Council for review and comment. The Commission shall submit simultaneously to the President and to the United States Congress such interim and final reports as it deems appropriate, and the Council shall submit simultaneously to the President and to the United States Congress its views on the Commission's reports. The President shall transmit the Commission's final report to the Congress

Reports to  
President and  
Congress.

82 STAT. 869

together with such comments and recommendations for legislation as he deems appropriate.

Termination  
date.

(c) The Commission shall terminate not later than five years from the effective date of this Act.

#### POWERS OF THE COMMISSION

80 Stat. 443.  
5 USC 5101-  
5115.  
80 Stat. 416.

SEC. 4. (a) The Commission may (1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) without regard to the civil service laws and regulations and without regard to 5 U.S.C., ch. 51, employ and fix the compensation of such personnel as may be necessary to carry out the functions of the Commission; (5) procure services as authorized by 5 U.S.C., sec. 3109, at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; (7) enter into contracts or agreements for studies and surveys with public and private organizations and transfer funds to Federal agencies and river basin commissions created pursuant to title II of the Water Resources Planning Act to carry out such aspects of the Commission's functions as the Commission determines can best be carried out in that manner; and (8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this title.

79 Stat. 246.  
42 USC 1962b-  
1962b-6.

(b) Any member of the Commission is authorized to administer oaths when it is determined by a majority of the Commission that testimony shall be taken or evidence received under oath.

#### POWERS AND DUTIES OF THE CHAIRMAN

SEC. 5. (a) Subject to general policies adopted by the Commission, the Chairman shall be the chief executive of the Commission and shall exercise its executive and administrative powers as set forth in section 4(a) (2) through section 4(a) (8).

(b) The Chairman may make such provision as he shall deem appropriate authorizing the performance of any of his executive and administrative functions by the Executive Director or other personnel of the Commission.

#### OTHER FEDERAL AGENCIES

SEC. 6. (a) The Commission may, to the extent practicable, utilize the services of the Federal water resource agencies.

(b) Upon request of the Commission, the head of any Federal department or agency or river basin commission created pursuant to title II of the Water Resources Planning Act is authorized (1) to furnish to the Commission, to the extent permitted by law and within the limits of available funds, including funds transferred for that purpose pursuant to section 4(a) (7) of this Act, such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with this Commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

Financial and  
administrative  
services by  
GSA.

(c) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by



reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided*, That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C., sec. 5514) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further*, That the Commission shall not be required to prescribe such regulations. 80 Stat. 477.

## APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated not to exceed \$5,000,000 to carry out the purposes of this Act.

Approved September 26, 1968.

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LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 376 (Comm. on Interior & Insular Affairs) and No. 1862 (Comm. of Conference).

SENATE REPORT No. 25 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD: .

Vol. 113 (1967): Feb. 6, considered and passed Senate.

July 12, considered and passed House, amended.

Vol. 114 (1968): Sept. 5, House agreed to conference report.

Sept. 12, Senate agreed to conference report.

